

By Mr. HAMILL: Petition of Rotary Club of Jersey City, N. J., to change the name of the Panama Canal to the Roosevelt Canal; to the Committee on Railways and Canals.

By Mr. HAMLIN: Papers to accompany House bill 15136, granting a pension to Leonard Walker, guardian of Flora Wall; to the Committee on Invalid Pensions.

By Mr. HUTCHINSON: Petition of Engineers' Club, of Trenton, N. J., favoring the enactment of legislation which will continue control and operation of the wire systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be followed when they are returned to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: Petition of traffic and transportation bureau, Tacoma Commercial Club, and Chamber of Commerce, Tacoma, Wash., favoring the revival and restoration to the Interstate Commerce Commission of certain powers taken away or suspended by the Federal control act approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: Petition of Chamber of Commerce, Oneida, N. Y., urging continuation of Federal control over lines of communication until Congress has time to determine upon permanent policy; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petition of Royal Window Glass Co., Grafton, W. Va., urging that pending tax bill be kept down to \$4,000,000,000; to the Committee on Ways and Means.

Also, petition of Bank of Mount Hope, W. Va., urging that new tax bill be kept down to \$4,000,000,000; to the Committee on Ways and Means.

Also, petition of National Bank of Fairmont, W. Va., urging that the tax bill be kept down to \$4,000,000,000; to the Committee on Ways and Means.

Also, petition of officers of Lodge No. 326, International Brotherhood of Boilermakers and Iron Shipbuilders, Grafton, W. Va., urging Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Wilmington Clearing House Association and members of savings banks relative to forthcoming liberty loan; to the Committee on Ways and Means.

Also, petition of Farmers' Institute, held at Selbyville, Del., endorsing plan for league of nations; to the Committee on Foreign Affairs.

Also, petition of Manufacturers' Association of Wilmington, Del., relative to revenue bill; to the Committee on Ways and Means.

By Mr. WASON: Resolutions adopted at a regular meeting of the Manchester, N. H., Council, No. 195, of the Order of United Commercial Travelers of America, favoring the return of the railroads of the United States to their original owners; to the Committee on Interstate and Foreign Commerce.

Also, resolutions adopted by the New Hampshire State Federation of Labor, favoring the enactment of a law which will bring about Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

## SENATE.

THURSDAY, January 30, 1919.

(Legislative day of Tuesday, January 28, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	Nugent	Spencer
Brandegee	Hitchcock	Overman	Sutherland
Chamberlain	Johnson, Cal.	Penrose	Swanson
Culberson	Jones, Wash.	Pollock	Thomas
Curtis	Knox	Ransdell	Thompson
Fernald	La Follette	Robinson	Trammell
Fletcher	Lenroot	Saulsbury	Vardaman
France	McKellar	Shafroth	Wadsworth
Gay	McNary	Sheppard	Walsh
Gerry	Martin, Va.	Simmons	Wolcott
Hale	Nelson	Smoot	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. FREELINGHUYSEN, Mr. KIRBY, Mr. NEW, Mr. POINDEXTER, Mr.

SHERMAN, Mr. SMITH of Arizona, Mr. STERLING, and Mr. WOLCOTT answered to their names when called.

Mr. POLLOCK. I desire to announce the absence of the senior Senator from South Carolina [Mr. SMITH] on account of illness. I should like to have this announcement stand for the day.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

Mr. PITTMAN, Mr. KING, Mr. HARDWICK, Mr. WARREN, Mr. MARTIN of Kentucky, and Mr. POMERENE entered the Chamber and answered to their names.

Mr. SAULSBURY. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

### RESPONSE OF SOVIET GOVERNMENT OF RUSSIA.

Mr. JOHNSON of California. Mr. President, yesterday, in the course of my remarks, I was asked by the Senator from Colorado [Mr. THOMAS] if a certain response that had been made by the Soviet government of Russia had been put in the Record or was intended to be put in the Record by me. I responded then that I did not have such a response. This morning the Senator from Colorado has handed to me the response to which he then referred, and because of his suggestion yesterday and his request that it be put in the Record, I ask that it be printed without reading in the Record this morning.

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

The all-Russian congress of Soviets expresses its appreciation to the American people, and first of all to the laboring and exploited classes in the United States for the message sent by the President of the United States to the congress of the Soviets in this time when the Russian socialist Soviet republic is living through most difficult trials.

The Russian republic uses the occasion of the message from President Wilson to express to all peoples who are dying and suffering from the horrors of this imperialistic war its warm sympathy and firm conviction that the happy time is near when the laboring masses in all bourgeois countries will throw off the capitalist yoke and establish a socialist state of society, which is the only one capable of assuring a permanent and just peace as well as the culture and well-being of all who toil.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 5354) extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River, approved the 24th day of August, 1912."

The message also announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses; recedes from its disagreement to the amendment of the Senate No. 12 to the bill and agrees to the same with an amendment, in which it requested the concurrence of the Senate; further insists upon its disagreement to the remainder of the amendments; requests a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan managers at the further conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

### PETITIONS AND MEMORIALS.

Mr. GERRY presented a petition signed by sundry citizens of Newport, R. I., praying for the enactment of legislation providing for the national ownership and Government operation of all railroads in the United States necessary for the furnishing of transportation to the people of the United States, which was referred to the Committee on Interstate Commerce.

Mr. THOMPSON. I present petitions in the form of telegrams pertaining to good-roads legislation, one from the Kansas Editorial Association in convention at Topeka, another from the Kansas Good Roads Association, and another telegram from the governor of Kansas, transmitting information relative to the action of the Kansas Legislature. The telegram from the governor of Kansas is very short, and I should like to have it printed in the Record.

Mr. SMITH of Arizona. On what subject are the telegrams?

Mr. THOMPSON. On good-roads legislation and the action of the Kansas Legislature in regard thereto. I only ask to have printed in the Record the telegram from the governor of the State, transmitting the action of the legislature and requesting Federal legislation.

Mr. SMITH of Arizona. To the telegram transmitting the action of the legislature, I raise no objection, but to the printing of the other telegrams I object.

Mr. THOMPSON. I should like to have them noted. I do not ask to have them printed in the Record.

Mr. SMITH of Arizona. They can be noted by a presentation for reference.

Mr. THOMPSON. That is all I have asked.

Mr. SMITH of Arizona. All right.

Mr. THOMPSON. I ask that the telegram from the governor of Kansas be printed in the Record and, with the other two telegrams, referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegrams were referred to the Committee on Post Offices and Post Roads, and the one from the governor ordered to be printed in the Record, as follows:

[Telegram.]

TOPEKA, KANS., January 29, 1919.

HON. WILLIAM H. THOMPSON,

United States Senate, Washington, D. C.:

Kansas Legislature to-day adopted resolution requesting Congress to pass bill granting additional Federal aid for construction of highways. This is vital to the plans for immediate employment of returning soldiers.

HENRY J. ALLEN, Governor.

Mr. LODGE presented a resolution adopted by the Chamber of Labor of Lynn, Mass., and a resolution adopted by the City Council of Peabody, Mass., favoring the granting of six months' pay to honorably discharged soldiers and sailors, which were referred to the Committee on Military Affairs.

Mr. TOWNSEND presented a petition of the Federation of Labor of Detroit, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of St. Clair County, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of the Maine State Poultry Association, praying for an appropriation to carry out the poultry extension work by the Bureau of Animal Industry, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a resolution adopted by Local Union No. 950, Brotherhood of Railway Carmen of America, of Cheyenne, Wyo., favoring Government ownership of railroads and other public utilities, which was referred to the Committee on Interstate Commerce.

#### ST. CROIX AND CHIPPEWA INDIANS.

Mr. LA FOLLETTE, from the Committee on Indian Affairs, to which was referred the bill (S. 4699) for the relief of the St. Croix and Chippewa Indians of Wisconsin, reported it with an amendment and submitted a report (No. 672) thereon.

#### BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5480) to increase the cost of the public building at Park City, Utah; to the Committee on Public Buildings and Grounds.

A bill (S. 5481) granting a pension to William E. Hughes (with accompanying papers); to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 5482) providing for the refund of taxes collected for stamp tax on certain policies under the emergency-tax act of October 22, 1914, under the proviso to which act such policies were exempt; to the Committee on Claims.

A bill (S. 5483) granting an increase of pension to James Rowland; to the Committee on Pensions.

By Mr. REED:

A bill (S. 5484) to authorize the commissioning of Maj. Robert W. Barr (with accompanying papers); to the Committee on Military Affairs.

#### AMENDMENT TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment authorizing the Indian tribes and individual Indians residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. PENROSE submitted an amendment proposing that the officers and members of the fire department of the District of Columbia be divided into two bodies or platoons by the Commissioners of the District of Columbia, which shall be designated as a day force and a night force, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

#### HOUSE BILL REFERRED.

H. R. 15140. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

#### VALIDATION OF WAR CONTRACTS.

Mr. CHAMBERLAIN. Mr. President, I must say that hereafter I shall request that the Senate proceed with the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. KIRBY. The Committee on Military Affairs had this bill under consideration for some time. It had the views of the War Department about it; it had the views of the different chambers of commerce and boards of trade of the great cities of the country; it had the views of their legal departments about the effect and scope of the bill.

The subcommittee reported the bill as insisted upon by the Senator from Nebraska [Mr. HITCHCOCK], and so far as I know that bill was considered and reported by the full committee without taking into consideration the views of either the contractors, who were supposed to be given a remedy, or the War Department, which had authority or was to be given authority to settle these matters. At least, there was no statement—

Mr. McKELLAR. Mr. President, I merely wish to correct the Senator. I know he does not want to present the matter in any other than the true way. The committee heard representatives of the War Department and representatives of the contractors.

Mr. KIRBY. The statement of their views was not referred to the entire committee with the bill, so far as I know, and that is the reason I made the statement.

But coming down to the main proposition, and we had just as well face this matter and get through with it, I wish to say just a few words. These informal and defective contracts it is urged ought to be validated, that the men who made the contracts and did the work and expended money in compliance with them are not at fault and ought to be compensated. They are, however, asking for an additional and a better remedy than is vouchsafed under existing law to men who had valid contracts and whose contracts were canceled because the Government could not use the munitions and supplies that had been ordered and contracted for after the armistice. Those men who had valid contracts and whose contracts have been canceled because of the armistice having been signed must resort to the regional boards which have already been constructed. The claim comes through the regional board to a central board that has been established in the War Department here, then through the hands of the Secretary of War and then to the Court of Claims if the parties are not satisfied with the award made. These men came and said, "We want a remedy here, for the validation of our contracts; we must be provided a remedy, we have none whatever; our contracts are invalid or informal or have not been completed, and we have expended our efforts and expended our money and we are entitled to compensation."

The bill as reported by the subcommittee, insisted upon by the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Tennessee [Mr. McKELLAR], provides, as the other bill proposed by the committee does, that only when he regards that the public interest requires it the Secretary of War shall validate the contract.

The first bill introduced did not provide that on a quantum meruit a man might recover who had no contract at all, who had been ordered to produce certain stuff, and had, in fact, expended money in producing it.

The bill as proposed here provides that both the men whose contracts were valid and have been canceled and those who claim rights under informal contracts may have the benefit of this additional board, this commission of appeals or board established down here, to pass on these claims. They all may have that, as I understand it. The claim goes through the regional board, composed of the best men in the district—busi-



ness men; it goes through the central board already created in the operation of the War Department; and it goes to the Secretary of War for a final determination, and then it will go to this new board proposed to be created in the Chamberlain bill, and from there, if the parties are not satisfied, it can be taken to the Court of Claims.

That certainly is providing enough machinery and a sufficient remedy for any man who has no valid contract to start with. This has been done in order that the matter may be handled expeditiously.

It is objected that the War Department ought not to be permitted to settle these matters, because it was through its fault that the contracts were not legally made in the first instance. That may or may not be true. The contracts certainly were not made through any intentional mistake of the War Department nor were they invalid on that account. It may be that there was not time enough to prepare and properly execute the contracts, and certainly the orders have not been regarded as executed contracts and could not be, the parties not having had time to reduce the terms of the contracts to proper form, the speedy delivery of the things that were necessary being insisted upon.

The War Department, under the law as it is, settles for the Government all the claims for compensation and damages under canceled valid contracts until there is some additional legislation provided. Why should not the War Department have also been permitted to settle with the contractors who have invalid and informal claims, as it is allowed to settle all of the claims under canceled valid contracts. The War Department is familiar with the whole transaction from its beginning to its completion, and has the machinery arranged for the settlement of such claims; but it is contended that in the settlement of claims arising out of these informal illegal contracts the War Department might be overreached or that some man in the War Department might be in collusion with the contractors and claimants. Certainly the very same objection would apply to settlement of claims under other contracts.

But grant that is an objection which is to be considered. We have had to trust the War Department for the making of previous contracts; we have trusted the War Department for the cancellation of valid contracts; and we, under the law, must trust the War Department for the settlement of claims for damages under valid contracts, subject only to appeal to the Court of Claims.

Now, the contractors who have these invalid contracts want an additional remedy over the remedy which was provided even for the settlement of valid contracts or claims thereunder. They say, "We distrust the War Department; we do not believe that they will do justice." But they do not distrust the War Department for the same reason which the Senator from Nebraska [Mr. Hitchcock] and the Senator from Tennessee [Mr. McKellar] do. They, the contractors, distrust the War Department for fear that the War Department will do its duty by the Government too strictly and will allow them too small a margin on their claims. They say, "We want this additional court here," and their attorneys and the representatives of the 6,000 contractors say that they believe this constitutes a fair tribunal for the adjustment of differences that must necessarily arise under the conditions which now exist, and that they believe it will act speedily and give them that measure of relief which they ought to have. That is their understanding.

The War Department believe that under the system provided and proposed in the bill reported by the majority of the committee they can get these matters settled within a reasonable time, and if there is any complaint of favoritism shown by the War Department, or if there is any complaint of anything having been done wrong or by collusion with the War Department, that can be objected to and appealed to the commission that is proposed to be created. After the case has gone to the commission, if the claimants are not satisfied with the award that is made, they can then appeal to the Court of Claims. There is that much machinery to take care of the men who had not valid contracts in the first instance, and this is but an additional commission of claims that is created in order that they may have absolutely a fair deal, and they can not complain that they have not been fairly treated, that they have been paid too little, or their rights have been disregarded by the War Department.

Now, let us see whether or not there is necessity for it. The Senator from Nebraska and the Senator from Tennessee say that there ought to be a new and entirely different system; that their commission of claims should investigate the conditions by agencies established by the commission—regional boards here, there, and yonder—and then let all of the cases go to the commission of claims, let them all be settled in that way, and

that then the Government will be fairly treated and the contractors protected. Let us see what will be the effect of that.

Mr. President, there are 6,000 contracts which it is proposed to validate, which it is proposed to recognize as obligations upon the part of the Government, perhaps. In any event there will be 6,000 claims which necessarily will arise for compensation under these contracts. Under the Hitchcock bill as proposed they will go to this commission, and the argument of the Senator from Nebraska about the operation of the commission created by his bill is that the cases will go to the commission already passed upon by all of the agencies of the War Department, with a report stating whether they approve or disapprove of any particular thing. His idea seems to be that the commission will go into an examination of these matters, pass upon the justice of the award, and that there can then be no question but that the contractors and the Government will both be protected.

What will be the effect of it? Six thousand claims are to come before the proposed commission. The Supreme Court of the State of Arkansas consists of five judges, good lawyers, and most efficient in the transaction of the business coming before them, and yet that court can pass on—and does generally pass on—but 625 cases a year. In those cases transcripts are provided, and abstract of the testimony is made, showing just exactly what the claim is; the judgment of the lower court is filed, and the briefs of the attorneys, and yet it takes the Supreme Court of Arkansas—and I do not believe there is a more efficient court in the United States to-day—10 or 11 months to pass on and decide 625 cases and write the opinion therein. There are 6,000 cases here, and it will take the proposed commission—if they examine the cases that are brought before them—10 years to pass upon the justice of all the claims. At any rate, it can not be done, in my opinion, at all within less than six or seven years, if an examination is made such as would give the commissioners any idea of the fairness and justice of the claims.

That is the condition, I believe, that confronts the people who are asking for this remedy and who say that it is absolutely necessary not only to their own financial safety but to the prosperity of the country. A billion and a half of dollars are tied up in this kind of contracts in this kind of claims. It is provided in the bill that is proposed by the committee that, if the claimants are not satisfied with the award handed down by the commission of claims, they may appeal to the Court of Claims after being paid 75 per cent of the award. I do not believe they ought to be paid one cent of the award in case of appeal. I believe the Government ought to have a reasonable opportunity to settle these cases at what it believes is the right amount that ought to be paid under all the circumstances; but when it comes down to a settlement, if the Government says, "We will pay you so much," and the claimant says, "I ought to have so much more," and the Government says, "We will pay you that or you can go to the Court of Claims," then a man would take some little thought before he appealed to the Court of Claims, thus delaying the matter further. If he were offered a reasonably fair settlement he would settle, and the Government and himself would both be protected, and their interests promoted by the immediate settlement of the cases.

As to the Hitchcock bill, if there was ample time, I do not know that there would be any great objection to it. So far as I am concerned, I should like to see that court or commission stricken out of the bill entirely. It is said, "We ought not to let the War Department settle a claim where it has made the contract." Why not? They were authorized to make the contract in the first instance, and every officer is presumed to do his duty; then, why not let them settle it? If you and I have a contract in regard to a certain matter and I am to furnish you so much lumber and you come to me next week and say, "I do not want that lumber, I do not need it, I have changed my plans," and I say: "Yes; but you agreed to take it; here is your contract," and you say: "All right, I will not take the lumber, but I am going to pay you the damages; what are the damages?"

Then the two contracting parties get together and see if they can agree on the amount of damages. That has always been the practice; that is right, and it ought to be so, but every man must minimize his damages as much as he possibly can. That is the condition of the people who have made contracts with the Government. They, the War Department, say, "We are ready to negotiate with you about a settlement; we understand the whole thing." Then, under these circumstances, the bill proposes to provide a new commission that can hear these cases at some time in the near future and hope to conclude the consideration of them all without unreasonable delay.

It is provided that the commission proposed by the Hitchcock substitute shall enter upon the hearing of these claims, and I

say it will take it from six to seven years to finish them up if the commission learns enough about each claim to pass intelligent judgment upon it.

It does not make any difference to me whether one or the other measure is passed, except from the standpoint of promoting the public interest and of dealing fairly and justly with the men who have expended money and delivered material for the Government's benefit in a time of emergency. I believe they ought to be reimbursed, but I do not believe that under the Hitchcock bill it can be done in anything like time enough to save the contractors and promote the interests of the country.

#### LEAGUE OF NATIONS.

Mr. POLLOCK. Mr. President, it is extremely unfortunate that the Congress of the United States should be called upon to consider legislation, such as that which is before the Senate, involving the payment of perhaps more than \$2,000,000,000 on so-called illegal or irregular contracts. That situation could not have arisen under normal conditions, and we would not to-day be called upon to consider a bill such as that which is now before the Senate had it been possible for the United States to have remained out of the great war which has shaken the whole world. Therefore, it may not be inappropriate at this time to submit some remarks on the general situation which confronts the whole world at this time, especially in regard to the effort that is being made by peoples all over the world to try to work out some plan whereby war may be made a thing of the past.

Mr. President, it is not as a former Secretary of State who has well and ably guided our Nation in its international relations, nor as a distinguished member of the Foreign Relations Committee who has displayed great learning and ability in shaping our foreign policies in the Senate, nor yet as a great orator of long service and recognized ability the world over in this body, that I would address you to-day, but merely as an ordinary man and as a humble Member of the United States Senate, unknown largely beyond the limits of my own State, fresh from contact with the plain people of America, that I would try to-day to voice the sentiments and express the hopes of the plain peoples of America and the world on the question of a permanent peace of the world, as near as that may be attained, and to submit my views on the effort that is being made to organize a league of nations to secure and maintain the peace of America and of the world.

I feel some delicacy, sir, in imposing upon the time of the Senate, but each of us in this body, composed of 96 out of a population of more than 100,000,000 of free American people, has the voice and the vote of more than 100,000,000 citizens of this great Republic, and I feel, sir, that when this most momentous question of all the ages is hanging in the balance that I should be recreant to my duty and shirking a responsibility did I not raise my voice in protest at much which has been said in this Chamber and elsewhere in regard to this supreme question, which is in the mind of thinking people everywhere.

I have listened with some impatience at the petty partisan criticisms of the President of the United States indulged in by some Senators on account of his visit abroad to confer with the leaders of the other great nations of the world, with whom we have been associated, in regard to the great settlements that must come as a result of the great world war just ended. I have noted with pity the action of certain Senators in having inserted in the *Record* newspaper clippings and other articles tending or attempting to bring the President of the United States into disfavor and contempt and ridicule of the world. I have pitied these men because they are injuring not the President in his great undertakings, but they are making themselves small indeed in the estimation of the American people.

The question of establishing a league of nations to maintain the peace of the world is not a political or partisan question; it is earnestly championed and advocated by the only two living Presidents of the United States—the one a Democrat, the other a Republican; but both, sir, of the very finest type of patriotic Americans—the one with power to act for America while he speaks, the other with power only to help create the proper sentiment in the country and to counsel and advise with those who have the power to act. All honor to William Howard Taft along with Woodrow Wilson. They are both playing their part in this great hour when the world needs men, high-minded men who would advance rather than retrograde, who would build up rather than tear down.

It is very easy to find fault, but it seems to be very hard for a partisan to be fair. It is very easy to tear down, but very hard to build up. It is easy to be destructive, but impossible for the narrow-minded bigot to be constructive. There has been enough of destruction and death in the world during the past four years to satisfy even the most savage. It is now

time for us to turn aside from war with all its ruin and misery and see to it, if possible, that nations are controlled as our Nation controls the several States and as our several States control the individuals in those States. There was a time when individuals settled their differences by might, regardless of right; likewise families and neighborhoods and clans settled their differences; but the human race has advanced, civilization has progressed, and law and order has evolved out of brute force. Men formerly fought duels, and thus settled their disputes. To-day he who kills his fellow man in a duel is an outlaw and a murderer, and the time will come—aye, it has already come—when a nation that makes war upon another except in self-defense or in the defense of civilization will be an outcast, and a murderer amongst the civilized nations of the world. The great anthem of the world to-day is peace—peace on earth, good will toward men. Every nation that has been at war has disclaimed responsibility for this war and declares that it only fought that fighting might be no more.

Every nation on earth yearns for perpetual peace, and I say that when the whole world wants the same thing at the same time for the whole world, then the world can and it will get that thing, and by the help of the great God of nations all the forces of hell can not prevail against it. This yearning for peace is in the hearts of the civil populations of the world, who have seen their loved ones wounded and bleeding and dying on the battle fields, who have seen their homes destroyed and their lands desolated, and who have seen their women violated and their innocent children tortured and crucified. This yearning for peace is in the hearts of the brave men who have gone forth to do and die for the cause of human liberty and freedom. They have seen the horrors of war; they have endured its agonies; they have witnessed its sufferings; they know the uselessness, the folly, the criminality of war except as it is fought in defense of home and country and civilization. They realize the crime of making unnecessary war, and he who to-day sneers at peace and every honest effort that can be made to effectuate the peace of the world as "a sort of international mutual admiration society, with the Sermon on the Mount for a constitution and the Apostolic Creed for a guide," will find that he is completely out of harmony with the spirit of the great American people, and especially that gallant army of 2,000,000 heroes who crossed the Atlantic Ocean to stop the mad dog of Europe in his wild orgy of destruction and murder. Let such a one read the letters from the men who have been over there, who have endured hardships beyond expression, who have laid out in mud-filled, water-soaked trenches for weeks at a time without changing clothes, who have gone out finally over No Man's Land and have witnessed the death of comrades all around them, who have finally fallen wounded on the field of honor with no one to render succor; fighting for you and fighting for me, fighting for loved ones, fighting for home, fighting for country, and fighting for humanity; read what these men say, learn what they have learned, see what they have seen, get their viewpoint, and you will no longer sneer at this great longing of the human race.

And he who sneers at peace is not much, if any, worse than that man who criticizes and finds fault with every effort, every suggestion for the accomplishment of peace. The conscience of the world is awake, the wisdom of the world is aroused, the mind of man has taken up the great problem, and it befits every man, and especially every one in high responsible position, to cease finding fault with others' ideas, except as he may point out other ideas that will better effectuate the purposes of the world, and the greatest purpose of the world to-day is the peace of the world.

The President of the United States has been harshly criticized for going abroad at this time and not remaining here to advise the Congress by those partisans who would not heed and follow his advice if he were here. He has been criticized for not disclosing to these enemies of the administration what terms of peace he may have in mind when they well know that neither Woodrow Wilson nor the combined peace delegates from this country can dictate the terms of peace. He has been attacked by Senators in a partisan spirit for not telling them what are the details of his scheme for a league of nations for the preservation of the peace of the world when they well know that such details must be the result of the combined wisdom and judgment of the representatives of all the allied nations, and possibly later of the representatives of the greater neutral countries of the world. They say that they want a lasting peace, but they are unwilling that the President shall go amongst the peoples whose support we must have to attain that result to get their opinions and to give them his judgment in order that an overwhelming sentiment may be created throughout the world for that peace which all true men must wish.



They demand that he shall give them advice which they will not take rather than confer with our partners in this great affair, to the end that out of the common councils of mankind some plan may be evolved that shall insure the world against a recurrence of the awful carnage that has desolated a continent and put the whole world in mourning.

Sir, those whose voices and whose words are potent to fix the opinions and direct the actions of a considerable part of our people, and who have some influence over the people of foreign lands by reason of holding for the time being high positions at the hands of the American people, have a great, an awful responsibility resting upon them. They can aid or they can retard the progress of civilization. If they would but forget self for a while, if they would rise to the true stature of full manhood, if they would but consider the men in the Army and the Navy, if they would look upon the sick, the wounded, and the dying who have sacrificed the comforts of life that this free Nation might still endure, that we might still have the opportunity to declare the policies and enact the laws by the suffrage of these people for the conduct of this great Republic, if they would but look upon the almost endless rows of new-made mounds mid the poppy fields of Flanders, if they would but look into the once happy homes of the world and see there the vacant chairs that stand "mute witnesses of the dissolution of the grave," it does seem to me that at this time, when the fate of the human race is in the balance, that Senators could forget that they are Democrats or Republicans; that they would remember that they are first of all Americans—Americans above State or section or party and as true Americans they are citizens of the world, with the interest of the whole human race at heart.

Our soldiers and sailors were neither Republicans nor Democrats. They came from no State nor section. They went into the Army and Navy as Americans, and when they had gone to the fields of battle they were brigaded with the men of our allies. They fought under the supreme command of that greatest of all modern commanders, Gen. Foch. They fought as soldiers of civilization side by side with the men of other countries, having the same end in mind, saving the world for liberty and freedom, and making the world a decent place for the habitation of man.

Did America lose her dignity or sacrifice any of her sovereignty when Gen. Pershing placed at the disposal of the allied high command the whole of the American forces? Did America in any degree lose any of her independence when by an almost unanimous vote of the American Senate and Congress, under the advice of the President, she cast her lot with the peace-loving, law-abiding nations of the world against the brutal, savage forces of the central powers that would have destroyed free governments from the world and set up military despotisms in their place?

If that be true, then the vast majority of this body, the vast majority of the other branch of the Congress, the vast majority of the American people who indorsed and applauded your action, must plead guilty to the charge of treason to our country, and the soldiers and sailors who have written a new chapter of glory into the pages of world history must admit that they fought as they had no right to fight. We went into this war not alone to avenge our own wrongs, not alone to defend our own rights, but, in addition to this, to protect and preserve the freedom and liberty of the world. To quote the words of Henry W. Grady:

We, sir, are Americans, and we fight for human liberty. The uplifting force of the American idea is under every throne on earth. France, Brazil; these are our victories. To redeem the earth from kinglycraft and oppression; this is our mission, and we shall not fail. God has sown in our soil the seed of His millennial harvest, and He will not lay the sickle to the ripening crop until His full and perfect day has come. Our history, sir, has been a constant and expanding miracle from Plymouth Rock and Jamestown all the way, aye, even from the hour, when from the voiceless and trackless ocean a new world rose to the sight of the inspired sailor. . . . Let us resolve to crown the miracles of our past with the spectacle of a Republic, compact, united, indissoluble in the bonds of love, loving from the Lakes to the Gulf, the wounds of war healed in every heart as on every hill, serene and resplendent at the summit of human achievement and earthly glory, blazing out the path and making clean the way up which all the nations of the earth must come in God's appointed time.

I sprang from the loins of Virginia, where my father entered the service of the Southern Confederacy. I was born of a South Carolina mother in that State, which was one of the original thirteen Colonies that formed this wonderful Union, that State that was first to secede from the Union. I am a product of the Civil War; had it not been for it my parents would probably have never met and I would never have been. I love the State of my father. I love the State of my mother. I love my own State, and I glory in its people and its history, but I love my country more than I love any State, and I thank God that it was not in the divine American plan that there should be two countries

where only one now exists. I find pride in Bunker Hill as I do in Kings Mountain. I find satisfaction in Appomattox, as I find joy in Yorktown. And when I say to you to-day that I am glad there is no Southern Confederacy, and I am overjoyed that the Union was preserved and has become forever indissoluble, I believe that I express the sentiments not only of the younger generation in the South but also the sentiments of the few remaining gallant men who wore the gray in the sixties and who after four years of brave fighting for what they conceived to be their rights returned to their desolated lands and ruined homes broken in fortune but undismayed in spirit, and beat their swords into plowshares and took up again with the same fortitude that had sustained them in war their peaceful pursuits as citizens of this great country to which they again had sworn their allegiance. And I call upon the whole world to witness that my people have been true to that allegiance; they have paid their share of the burdens of Government when they had but little from which to pay; they have poured their paltry earnings into the lap of industry; they have furnished all sections of this land with many of its brightest minds; they have furnished much of the very finest of American character uncontaminated by evil foreign influences; they have supplied their full quota of men for the Spanish War and for the great world war that is just happily coming to an end; those men joined with the men from all sections of America to make up the great American Army of freedom, liberty, and peace. They fought side by side with the men from every State in the American Union under the same flag that is loved in South Carolina as ardently as it is loved in New England. They mingled their life blood with the blood of all America on the battle fields of Europe, and the pages of American history are the richer for the sacrifice, and so to-day the American people are nearer one in purpose and in spirit than they have been for more than a half century.

The Army, with a northern man at its head, and the Navy, with a southern man at its head, know no North, no South, no East, no West—they know no section nor creed except America and what for America and the world is best. And, sir, in the Army and the Navy there are no Democrats nor Republicans—there are only American patriots, in civil life of all creeds and faiths and peoples banded together for a common purpose—the freedom and liberty and peace of the world, and I say to you to-day that the world can not be satisfied with anything less than the full fruits of all the sacrifices that the world has made—I say to you that we did not go into this war merely to humble the proud spirit of the central powers—we did not go into this war merely to tear down empires and thrones—we did not go into this war merely to banish kings and kaisers, but above all we went into this war to destroy militarism and destroy it for all time, and that can be done and it will be done by the creation and establishment of a league of nations to preserve and enforce the peace of the world. This is no new idea with me. As far back as the Fourth of July, 1912, speaking in South Carolina on the Nation's birthday I used this language, and these figures seem so small in the light of the present:

The total ordinary disbursements of the United States for last year amounted to more than \$630,000,000. Of this amount about 70 per cent was for the War and Navy Departments and for the payment of pensions growing out of former wars. In other words, my friends, the idea of war—wars of the past and preparation for wars of the future—is costing the American people \$438,000,000 annually, and this, my friends, is growing every year. This appalling statement of itself, it seems to me, is enough to make a practical, common-sense people stop and think.

Permit me to say right here that when we consider that this war has cost the American people more than \$30,000,000,000—more money than has been spent by this Government since its beginning up to the outbreak of this war—when we consider that England has spent more than \$40,000,000,000 and France a corresponding amount, if for no other reason the people of America and the people of the whole universe ought to stop and think of the burdens that are being placed upon the present generation, and upon generations yet unborn.

But when we consider that war never settles a controversy according to the justice of the cause—when equity and righteousness have no place in the final termination—when power and force are after all the determining factors in the question, and when the green valleys are painted a rich red with the lifeblood of thousands and tens of thousands of human beings who are called upon to sacrifice home and family and life on their country's altar, is it not time for us, a great Christian Nation, the hope of the world, in the great march of progressive thought and of civilization to seek about for a way to abolish war from the face of the world?

Just as 50 years ago, on the old muster field, the biggest man in the eye of young America was the one who could lick any other bully—just as a few years ago the biggest man was the one who, after a quarrel with his neighbor, could shoot the truest in the duel, just as the result of force settled differences between man and man, so still to-day the most powerful nation, with the greatest navy and the biggest army and the fullest treasury, lords it over the weaker nations of the earth, and every big nation feels called upon to be as fully



prepared for war that may never come as its strongest competitor for world power.

In the great Civil War the Federal Government put in the field 2,722,000 men—the Confederate Armies numbered about 750,000 men—the Federal Government lost about 350,000 men and the Confederate Army lost about 133,000 men. Think also, my friends, of the other wars of the United States and of the other nations of the world. Remember that it is to the advantage of every country on earth that the enormous expenses of war and fearful sacrifice of human life should cease, and I ask you is it hoping for too much when I suggest that this Government should take the initiative and try to get the other nations of the earth to join in a treaty whereby they would agree to submit all their differences to an international court of arbitration in which all nations have a representative except those who might be parties to the controversy—disband their armies except enough to insure domestic tranquillity—disarm their navies except to jointly maintain a navy sufficient to cope with the navy of any one country which refuses to enter into the compact, and then say to the world, "Thou shalt not commit murder."

South Carolina has always been progressive; she has always dared lead the way; she can on this anniversary of the Nation's birthday send out a message to the Nation and to the world of "Peace on earth, good will toward men," and I verily believe that that message taken up by the great Democratic Party and carried to the four corners of the earth by that greatest of American statesmen, William Jennings Bryan, who, like Clay and Webster and Calhoun, is too great to be president, commissioned by that other great man, Woodrow Wilson, the next President of the United States, will be received and acted upon by all the great Christian nations of the earth.

A part of my prophecies in that speech have come to pass. Woodrow Wilson has twice since that been elected President of the United States. Bryan was made Secretary of State and sought to draw the Christian nations of the world together in treaties that would have made war a remote possibility, if not an impossibility; but Germany, fully prepared for war, would not enter into such a treaty as was proposed. She had her great army and navy and her ambition for world domination staked upon her power, which was being increased daily; she had to justify her military preparations, with its enormous burden of taxes, before the German people, who were groaning under the burden, and so it was not given to the world to see that peace for which the plain people of the world prayed without another, and, we all hope, a final trial of armed force.

But to-day the only country, Germany, that stood in the way of the peace of the world lies prone and prostrate at our feet, stripped of all her power for evil and compelled to make any kind of peace that the conscience of the world may dictate, and I say, sir, that we, the American Senate, whether we be Republicans or whether we be Democrats, will be recreant to our duty and false to our people and traitors to the human race if we do not here and now highly resolve that we will lay aside all partisanship and all carping criticism, all faultfinding, unless we can suggest something better, and encourage, and advise with our representatives at the peace council at Versailles as to the best way to effectuate the hopes of mankind and the plans of God for the peace of the world for to-day, tomorrow, and forever. We have the great nations of the world banded together now in a way they have never been before—we see them linked together by a common purpose and a mutual interest that was never before conceived—we find them hating together the common foe of humanity and loving together the purest dream of the world, and while they are so banded and linked together there can be nothing of so great consequence as the perpetuation of the peace of the world. To-day is the time, tomorrow may be too late, and so I say that he who would postpone the consideration of the creation of a proper league of nations is hardly less an enemy to the human race than he who comes out boldly in full opposition and prates about the sovereignty of the United States and declares that he will not consent to arbitrate the Monroe doctrine and will not agree to send American boys to fight other peoples' battles thousands of miles away.

I shall not attempt to go into minute details as to the exact terms and provisions of a treaty or agreement for a league of nations. That must be worked out, if at all, by the peace delegates at the council, but, Mr. President, as I think of the world my mind turns back to nations; as I consider nations the United States of America rises before my vision, and I see here 48 sovereign States, originally 13 sovereign independent States or countries, bound together into the greatest Nation of the world. How came this about? When the Declaration of Independence was published to the world on the 4th day of July, 1776, 13 free and independent States were born, and until the adoption of the Articles of Confederation on the 15th day of November, 1777, there was nothing to bind these States together save the Declaration of Independence and the words therein contained. "We mutually pledge to each other our lives and fortunes and our sacred honor."

Then, Mr. President, on the 15th of November, 1777, was adopted the Articles of Confederation by the delegates of the United States of America, wherein it was provided "that each

State retains its sovereignty, freedom, and independence," and wherein it was provided that "the said States hereby severally enter into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them or any of them on account of religion, sovereignty, trade, or any other pretense whatever." It was also provided that "no State shall be represented in Congress by less than two, nor by more than seven Members." Again, it was provided that "no two or more States shall enter into any treaty, confederation, or alliance whatever between them without the consent of the United States in Congress assembled," and again it was provided that "no vessels of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defense of such State or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defense of such State."

Again, it was provided that "no State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies \* \* \* and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted." Further, it was provided that "all charges of war, and all other expenses that may be incurred for the common defense and general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury which shall be supplied by the several States" proportionately as the Congress of the United States shall from time to time direct and appoint, and finally it was provided in Article IX: "The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace or war" except in cases of invasion or imminent danger of invasion, and of "entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever." And, further, it is provided that "the United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that may hereafter arise between two or more States concerning boundary, jurisdiction, or any other cause whatever," which authority, it was provided, was to be by arbitration fully set out in the Articles of Confederation, and was to be "final and conclusive."

The Congress was further given the power "to build and equip a Navy, to agree upon the number of land forces, and to make requisitions from each State for its quota."

Such were some of the provisions of the Articles of Confederation, adopted November 15, 1777, and ratified by all of the 13 States, save Georgia, by their respective delegates July 9, 1778, and ratified by Georgia about two weeks later. Such was the compact of peace and friendship among the States until the adoption of the Constitution of the United States in a convention held for the purpose on the 17th of September, 1787, and ratified by the requisite number of States in June, 1788.

And what changes in the scheme of the league of States for "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity" were made in the Constitution from that provided in the Articles of Confederation? Turn to Article I, section 10, and you there find "No State shall enter into any treaty, alliance, or confederation." "No State shall, without the consent of Congress, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded or in such imminent danger as will not admit of delay."

A Congress is provided, composed of two Houses, in which each State has equal representation in the one and proportionate representation in the other. The Congress is given power "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." "To raise and support armies." "To provide and maintain a Navy. To make rules for the government and regulation of the land and naval forces. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States." "To make all laws which shall be necessary and proper for carrying into execution the fore-



going powers and all powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

A Chief Executive is provided, elected by the States, not according to population alone, but by reason of the sovereignty of the State; each State has two electoral votes in addition to what it might have if the electoral vote were based on population alone. He is made Commander in Chief of the Army and Navy of the United States.

A Supreme Court is provided, with "such inferior courts as the Congress may from time to time ordain and establish," and the judicial power extends "to controversies between two or more States; between a State and a citizen of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State or the citizens thereof and foreign States, citizens, or subjects."

This, Mr. President, is the plan adopted by the fathers of our country to provide peace on the North American Continent. This plan, conceived in the minds of the pioneers of democracy, has kept the peace of America for nearly a century and a half, except for the unfortunate Civil War, and that war would probably never have occurred had the right or absence of the right to secede been made clear in the Constitution. The framers of the Constitution and the authors of the Articles of Confederation had nothing similar to guide them, they had no experience of a great Republic, such as ours, to point the way. They had but to trust in the God of Nations to guide their intellects, circumscribed as the human understanding must be. They went out into the trackless ocean and uncharted seas and made the greatest human experiment in political government that has ever blessed the world, and while they groped in the dark with a divine faith in the wisdom and integrity of their purpose, we of to-day have the benefit of more than a century of the light of experience to guide us and the whole human race in the greatest governmental venture of the ages.

It seems to me, Mr. President, that the fathers of the Republic have written out the chart and have pointed us the way to the peace of the world to-day, to-morrow, and forever. When they thus provided for the American States we were far away from the balance of the world. We had no steamships, no telegraphs nor cables, no wireless that flashes the happenings of the whole world through distance, and it was because of these things that George Washington warned the American States "to steer clear of permanent alliances with any portion of the foreign world," and it was because of this that he directed the attention of America to the fact that—

Europe has a set of primary interests, which to us have none or a very remote relation.

Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collusions of her friendships or enmities.

It was because of our "detached and distant situation," as it then existed, that he wisely asked:

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

To those who would to-day say that America should not form a league of nations to preserve, maintain, and enforce the peace of the world I would say that conditions have changed, our situation has been altered, distance has been destroyed, and time has been annihilated; we do not longer occupy a position of aloofness and isolation from the balance of the world; we to-day have reached that position in our upward march that we are not only a great country and a wonderful Nation, but we are to-day a very large and important part of the whole world and of the whole human race.

And this leads me, sir, to say that we have not followed this advice at all times, neither does that advice conjure us not to enter into temporary alliances nor to stay out of the extraordinary vicissitudes of the world. And surely no one will say that the present European conditions are "ordinary vicissitudes of her politics or the ordinary combinations of her friendships or enmities."

I would direct attention to the fact that we entered into a temporary alliance with France to obtain our freedom and independence—our country was born out of an alliance with France, whose aid in the American Revolution was so timely; we entered into an agreement with England to prevent the French settlement of the great country beyond the Mississippi, and thereby made possible the great Louisiana Purchase from France. We entered into an agreement or alliance with England whereby we were able to announce and maintain the Monroe doctrine—we, by that doctrine, practically set up a protectorate over the American hemisphere—we committed ourselves, for our

own protection, to the preservation of the sovereignty and integrity of the American countries in Central and South America—all foreign countries—and we have in this great world war formed an alliance with the great civilized nations of the earth against the central powers of Europe. So that to those who quote Washington's Farewell Address I reply, conditions have changed and our situation is altered; that this is no ordinary condition that might menace our peace by entrance into a league of nations, but it is an extraordinary condition out of which we seek to preserve and protect the peace, not only of America but of the children of men the world over.

It has been asked, "Would you be willing to arbitrate the Monroe doctrine?" Let me first ask, what is that doctrine and what stands behind it? The Monroe doctrine is merely the declaration of this Government that the American Continents are not to be considered as subjects for future colonization by any European power, and that we should consider any attempt on their part to extend their systems to any portion of this hemisphere as dangerous to our peace and safety, and that we could not view any interposition for the purpose of oppressing any of the established, recognized governments of America, or controlling in any other manner their destiny by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States.

This doctrine, enunciated by President Monroe December 2, 1823, could not have been maintained and enforced by the United States alone, and would never have been proclaimed even had it not been for the fact that the British Government, speaking through George Canning, its minister of foreign affairs, proposed to the United States that Great Britain and the United States should jointly announce that they could not see any South American territory transferred to any power "with indifference," and the British Government pledged itself to aid in the enforcement of this declaration. When President Monroe received this assurance he turned to Thomas Jefferson for advice, and Jefferson's reply to Monroe, upon which Monroe acted, shows that we have maintained the integrity of the Western Hemisphere and the peace and safety of the United States only by the acquiescence and assistance of Great Britain. Jefferson said:

One nation, most of all, could disturb us in this pursuit; she now offers to lead, aid, and accompany us. By acceding to her proposition we detach her from the bands, bring her mighty weight into the scale of free government, and emancipate a continent at one stroke which might otherwise linger long in doubt and difficulty. Great Britain is the one nation which can do us the most harm of any one, or all, on earth; and with her on our side we need not fear the whole world. With her, then, we should most sedulously cherish a cordial friendship, and nothing would tend more to unite our affections than to be fighting once more side by side in the same cause.

From that day to this the British Navy has been our first line of defense, alike in our youthful weakness and our matured strength, and we have at last fought "side by side in the same cause"—the cause of liberty and freedom and civilization—the bonds of friendship have been strengthened; they have been cemented by the mingled blood of Briton and American, shed on a soil foreign alike to both, made sacred alike to each.

You ask, "Would we be willing under a league of nations to arbitrate the Monroe doctrine or questions that might arise under it?" I reply, sir, that there can be no such thing as arbitration of the Monroe doctrine. It is merely America's statement of her will or pleasure, but the enforcement of it might raise questions that would have to be settled by force, by diplomacy, or by arbitration; and I take it that if a league of nations for peace shall be formed that the principles enunciated in President Monroe's message are so clearly a statement of justice to the United States and to the other American countries over whom we single-handed and alone, with the friendly assurances of Great Britain as our sole hope of assistance, have stood guard that this statement of principle would be incorporated into any compact that may be entered into not only for the countries of the Western Hemisphere but for all countries of the world. If a league of nations shall be formed, the combined nations of earth would enunciate and promulgate a new Monroe doctrine—a Wilson doctrine—that all the allied nations of the world "could not view any interposition for the purpose of oppressing any free nations or controlling in any other manner their destiny by any power on earth in any other light than as the manifestation of an unfriendly disposition toward the people of the world," or, to paraphrase the statement of the Monroe doctrine by President Roosevelt: "The doctrine is simply a statement of our very firm belief that the nations now existing on earth must be left to work out their own destinies amongst themselves, and that free countries are no longer to be regarded as the colonizing ground of any foreign power." Thus, Mr. President, if a league of nations shall be formed, instead of a



doctrine for free peoples of the American Continent, upheld and maintained by the United States alone, we would substitute a broader doctrine for all the free peoples of the world, upheld and maintained by the combined civilized nations of the world who may enter into the league of nations; and the Monroe doctrine will be the safer, for that it would have more sponsors.

It is objected, Mr. President, that a league of nations to preserve and enforce peace must be backed by force, and that we would have to make war to restore peace. I agree that to have a league that will be effective there must be force to back up the decrees of civilization and justice. We have our police to put down crime and disorder in our cities, we have our sheriffs and constables to put down crime and disorder in our States, and they are armed, that the citizens generally may go unarmed and safe. We would need a limited national police force, and we would need an international police force to preserve the peace of the world and to enforce the decrees and judgments of the courts of the international league; but, sir, with armies reduced and navies dismantled, and an absolute prohibition to the countries of the world of the manufacture and having more than a supply of arms and munitions to meet the reasonable immediate needs of any country for its purely domestic peace and safety—that to be determined by the parliament of the world—a very small quota of men from each of the contracting nations would be able to bring law and order and obedience to the findings and decrees of the league of nations should any nation attempt to break the peace of the world.

It was objected by the distinguished Senator from Idaho [Mr. BORAH] that to raise this quota for service in international fields conscription would have to be resorted to. That, Mr. President, in my judgment, is not correct. There are enough of adventurous men—soldiers of fortune in every land on earth—to make up the quota that such country would be called upon to supply, and especially would this be true if the standing army was small and the pay increased to such an amount as would be attractive, and with greatly reduced military and naval forces every nation could pay its men liberally. But, sir, even if the draft should be resorted to, I say that it is far better to carefully select 50,000 men and compel them to serve for a few years to preserve the peace of the world than to be called upon to draft millions upon millions of men to restore peace after war with all its horrors and hardships has drenched the world in blood.

Mr. President, I have spoken too long, but I shall not be in this body much longer. I fear that the treaty of peace, embodying a reasonable and proper league of nations for the preservation of peace, will not be concluded and submitted to the Senate for ratification before my term of service shall have expired. I have spoken from the depths of my heart; I have tried to express the hope of the world; I have tried to utter the prayer of humanity; I have tried to aid, in my feeble way, in pointing out the path marked out by the teachings of Him who came to save and not destroy; I have tried to voice the sentiments of the plain people everywhere, who see in war, in most cases, a useless sacrifice of the children of God on earth.

I can not close my remarks without expressing my sorrow and disappointment at the utterances of some of the most distinguished Members of this body. As I have noted the great learning and scholarly attainments and giant intellects of the Senator from Massachusetts [Mr. LODGE], who has so long led the Republican Party, and at times the Nation in our foreign relations in the Senate, and of the Senator from Pennsylvania [Mr. KNOX], who has in days past so ably and creditably represented my country and his as Secretary of State; as I have sat in rapt admiration of the massive intellects and dynamic force of appealing oratory of the Senator from Missouri [Mr. REED] and the Senator from Idaho [Mr. BORAH]; as I have noted these first two gentlemen advocating procrastination, and the other two not only advocating procrastination but declaring that a league of nations for the preservation of peace can not and should not be adopted, I wonder why, in this supreme hour of the world, the wonderful endowments of these gentlemen could not be used for construction rather than for destruction, why they do not use their great powers to build up rather than tear down, why they do not aid rather than criticize. They have an opportunity, this whole body has an opportunity, the Nation, the world, has an opportunity that was never afforded before to hasten the coming of the kingdom of God on earth.

There is a tide in the affairs of men, which, taken at the flood, leads on to fortune; omitted, all the voyage of their life is bound in shallows and in miseries. On such a full sea are we now afloat, and we must take the current when it serves or lose our ventures.

I warn the gentlemen in this body that this is no ordinary political question. I warn the gentlemen that the American

people will not look with favor upon any man who would play politics in the people's blood. I do not question the motive that actuates those who oppose the advanced thought of the age—who assert opposition to the policies of Wilson and Lloyd George and Clemenceau, as expressed at the greatest feast since the Passover, but the American people, the people of the world, the God of the universe will hold them responsible if they place obstacles and obstructions in the way of saving the world from a repetition of its anguish of the past four years.

#### ADDRESS BY ASSOCIATE JUSTICE CLARKE.

Mr. WALSH. Mr. President, on Monday last there was ordered printed in the RECORD, on motion of the Senator from Pennsylvania [Mr. KNOX], an address by Hon. Albert J. Beveridge, at one time a member of this body, on the subject of a league of nations. I ask unanimous consent that there be printed in the RECORD an address on the same subject by Hon. John H. Clarke, Associate Justice of the Supreme Court of the United States, delivered before the American Bar Association in the month of August last. I submit this address at this time, Mr. President, because it seems to me exceedingly appropriate, in connection with the eloquent and inspiring address to which we have just listened from the Senator from South Carolina [Mr. POLLOCK].

There being no objection, the address was ordered to be printed in the RECORD, as follows:

#### A CALL TO SERVICE.

THE DUTY OF THE BENCH AND BAR TO AID IN SECURING A LEAGUE OF NATIONS TO ENFORCE THE PEACE OF THE WORLD.

(By Hon. John H. Clarke, Associate Justice of the Supreme Court of the United States.)

In January the last week of August seems so far away, and it is so difficult to deny Mr. Whitelock anything upon which he has really set his heart, that not long since I awoke to find myself face to face with an outstanding promise to address you here this evening, but without anything formulated or even formulating in my mind which seemed in the least likely to prove of interest to you.

As I sat in my study, confronted by this situation, my eye fell upon the forty-odd volumes of the reports of the American Bar Association, and as I reflected upon the hours and days of intense and intelligent labor which is there buried—I weigh my words—I forthwith determined not to discuss any of the recondite problems of the law—any of those things which Stephen Leacock would say lie “behind the beyond”—but that I would speak to you of some phase of the subject which fills the minds and hearts and souls of us all.

And so my subject has become, the duty of the bench and bar of the country to awake, as it is not yet awake, I am sure, to the responsibility which the great war has cast upon us, as an influential and learned profession, of putting forth all of the power and influence which we possess for the purpose of securing, as the most important result of the war, the establishment of “a league of nations to enforce the peace of the world.”

I am quite aware that there is nothing new that I can say upon this subject, which has been the dream of mankind for centuries and the theme of wide discussion for many recent years, but the selection is made because of the conviction on my part that new conditions have made the times ripe for such a league and because I believe that, next after the winning of the war, the matter of first importance to our country and to mankind is the securing of a peace so guarded by new sanctions that the immeasurable calamity of modern war, through which we are now passing, may not again return to desolate the world.

I shall not address myself, gentlemen of the bench and bar, to the expert international lawyers among you, but rather to those of the rank and file of the profession, upon whom will fall the duty of creating and giving leadership to that public opinion of our country, without which it will not be possible to take this fateful step forward in the organization of the international relations of the world. The detail of the constitution and organization of such a league will be for statesmen and international lawyers, but the securing of the acceptance of the principle involved and the answering of the objections to it will be for the general practitioners of the land, trusted counselors that they are of their neighbors in all matters of great public concern.

Fundamental to all that I shall say are these assumptions: That the German autocratic government shall be beaten to its knees and shall be definitely convinced that never again can a war of aggression be profitable in this modern world; that its military and naval establishments, as well as those of the other great nations, shall be greatly reduced and their arming for the future be greatly and strictly limited; and that after the war the German people, chastened as they will be in spirit and in purpose, shall be invited to share in a just, even in a generous, peace, without which the permanent peace of the world can never be secured.

Public international law, as we all know, first assumed definite form in the writings of the great philosophical jurists of the sixteenth and seventeenth centuries. It is made up of a blending of moral principles—of natural justice and reason—with the customs and practices of the more enlightened nations of the world in their dealings one with another.

With such an origin, naturally, some of the principles of this law had become more clearly defined than others prior to the outbreak of the present war, but none had been more generally accepted and observed than this: That the open seas are not the territory of any nation and are not subject to the jurisdiction of any power, but that they are the public highway of all nations, provided by God and nature for carrying on the business and intercourse of the world. It was determined with equal definiteness that the open or high seas comprise all that part of every ocean which lies without a line drawn parallel to the shore and distant 1 marine league from low-water mark. To that boundary the jurisdiction of the sovereign of the adjacent shore extends, but beyond it all waters are the common property of all nations. Long prior to this war it had also become the perfectly settled law of nations that private citizens of neutral States should be allowed to go to and fro on this ocean highway on peaceful errands in neutral ships or even in



belligerent ships, not men-of-war, as safely in time of war as in time of peace, subject only to visit and search and to the law of blockade.

The German Government had frequently and solemnly assented to all this as perfectly established international law, but nevertheless, in arrogant defiance, it proclaimed exclusive dominion over more than a hundred thousand square miles of the open ocean adjacent to the British Isles and, without notice or mercy, proceeded, to the limit of its power, to destroy every neutral ship, its passengers and cargo, which had the temerity to enter the area thus proscribed.

The right of every nation to remain neutral during the war and the duty of every belligerent to respect such neutrality has long been a rule of the customary or unwritten law of nations. When to this we add that in 1839 and again in 1870 the Kingdom of Prussia bound itself by solemn treaties to guarantee the neutrality of Belgium, and that in 1899 and again in 1907 the Imperial German Government, by Hague conventions, bound itself in equally solemn agreement with many nations to respect that neutrality, the utter lawlessness of the invasion of Belgium would stand confessed even if the chancellor of the German Empire had not publicly and scoffingly proclaimed it to be in open defiance of international law. "German faith," not "Punic faith," for all time to come will be the world symbol for international perfidy and dishonor.

In a Hague convention the German Government and its allies agreed with the other civilized nations that in case of war undefended towns or villages should not be bombarded in any manner whatever; that in sieges and bombardments measures should be taken to spare as far as possible buildings dedicated to religion, art, science, or charitable purposes, and hospitals in which the sick and wounded are collected for treatment; and the use of poison or poisoned weapons, projectiles, and materials calculated to cause unnecessary suffering were expressly prohibited.

And yet, further flouting this law which it had shared in making, the German Government has now for four years persistently bombarded undefended towns and villages, used poison gases, and selected libraries, churches, and hospitals as special targets for destruction.

These instances, a few from many, will suffice to recall to us all how completely international law has broken down under the stress of the great war. It has been trampled upon as ruthlessly by the central powers as it was by Napoleon a century ago; and in presence of the international anarchy which is the result men who prefer reality to self-delusion must be convinced, reluctantly but definitely convinced, that moral sanctions are not enough to restrain great nations engaged in war within the boundaries prescribed by civilization in time of peace, and that unless the coming settlement is to prove but an angry truce, a time of preparation for another war, the most pressing problem now before us is how we may furnish new and effective sanctions which will cause international law to be respected and obeyed as fully in time of war as it has been heretofore obeyed in time of peace.

But what is this next war to be? Military writers of Europe, obsessed with the belief that it is impossible for the future to improve upon the past and that another general European war is inevitable, are already busy discussing what its character shall be, and, in barest outline, this is the picture which they draw:

The Prussian military system, adopted by the other nations in this war, will be continued in preparation for the next and will result in creating armies of unprecedented size. So organized Russia should yield an army of 35,000,000 of fighting men. Germany and Austria 25,000,000, Great Britain, France, and Italy 25,000,000; and to go no further, our Army should exceed 20,000,000 of trained soldiers. To support such armies the industries of all of these countries must be organized primarily for purposes of war and the best energies of their peoples must be devoted to devising means for the destruction of human lives. Women must be conscripted for industry as men for fighting, and noncombatants will be destroyed as ruthlessly by other nations as they have been by Germany in the present war. Great guns now used by thousands will be numbered by tens of thousands, and machine guns by millions. Submarines will infest every sea and hundreds of thousands of airplanes and dirigible ships will fill the air. Chemists confidently declare that, released from the restraints of civilization, poisonous gases will be devised which, used by aerial flotillas and by guns of constantly increasing range, will destroy whole armies and cities in a single night. And, finally, revolting though the thought of it be, other nations, driven by desperation to the use of disease germs, now hinted at as the lowest depth to which Germany has sunk, will let loose a scourge upon the world, the ultimate effect of which upon the human race no man can measure.

The mind turns away in horror from this prospect of another war which would involve the destruction of modern civilization, if not of the human race. And yet in the presence of the experiences of the past four years, of the unprecedented extent and merciless ferocity of the present war, it would be rash to say that this picture has been overdrawn, that it is not a probable description of the abyss that lies before us if measures be not taken to prevent the coming of another war.

Three solutions have been proposed to avert this measureless calamity: The first, made in Germany, aims to establish a consolidated empire extending from the North Sea to the Persian Gulf, sufficient in extent to be self-sustaining in time of war and peace and with vassal populations great enough in numbers to support a German military establishment which it is believed could dominate the other nations, separated as they are, and thus be able to impose a permanent even though a sullen peace upon the world. To state this is to reject it.

The second, advocated sometimes by combinations of statesmen and men of business and sometimes by labor unions, proposes to strip the central powers of their military and naval strength and of their colonies, to impose upon them huge indemnities for the crimes against civilization of which they are so clearly guilty, and then by boycotts to continue against them a trade war after the present war, and thus to hold these powerful nations in permanent poverty and thereby in an unrighteous, which can not be an enduring, peace.

The third is a league of nations to enforce the peace of the world. The aim of such a league is to substitute conference for strife, justice and peace for cruelty and war, and in the happy phrase of President Eliot to bring "Peace on earth to men of good will."

This dream of mankind for centuries has been brought within the grasp of practical statesmanship by the declaration of President Wilson, assuredly voicing the desire and purpose of our whole great Nation, that the period of American isolation has passed, and that we are ready to unite with the other nations after the war in an international concert which shall hold the world at peace and render it impossible that such a catastrophe as is now upon us shall overwhelm us again.

Ladies and gentlemen, I have dwelt thus at length upon the necessity for a league of nations and upon the desperate alternatives of our fail-

ing to obtain it, not because I think that your choice, or that of the country, could be different from that which has been made for us by our President, but because when we shall come to the adoption of the league as a practical agency in international government such grave difficulties must be met that we shall be obliged to recur for encouragement and resolution, perhaps again and again, to what the result will be if we reject this which now seems the last, best hope of the world—and to that end we should keep it vividly in mind.

For us, as a Nation, there are grave constitutional questions involved, which it will be the duty of the bar to argue to a conclusion with the people and in the courts, but of which it would be obviously improper for me to speak beyond recalling that the Supreme Court has declared that the Constitution is not a strait-jacket by which the past is to be imposed upon the present, and that it is not a mathematical formula of undeviating application of public affairs. I may be permitted to add that it is the result of the decisions of that court that the Constitution is a working charter for a living Government, which has proved in experience perfectly adaptable to conditions of life and society of which its framers never dreamed.

For other governments there are questions of dependent nationalities; the extent to which existing alliances may be continued without being inconsistent with such a league; and what prospects of fair treatment the nations falling in the war would have in its councils for many years to come.

There are difficulties for all the nations in determining what the membership of the league shall be, and what the system of law which shall govern its deliberations. There must be delegation, if not surrender, of power, a difficult thing with men and nations, and a new restraint must be put upon national ambitions and pride. But above all there must be cultivated here and throughout the world a larger sympathy and vision—no less than an international mind. We must learn to look beyond frontiers and to find our national welfare in the general welfare of the world.

Yes; the difficulties in forming the league, in devising a constitution for it and in putting it into practical operation are many and grave, but they are not greater than were met and solved by our forefathers when they formed the league of the thirteen original States, framed and adopted our Constitution, and established this indissoluble Union of indestructible States. The problem before us now is more complex and, if possible, more fateful, but it is in character the same, and with this experience to guide us, ours is the Nation which least of all should be discouraged or dismayed. The crisis is unprecedented in the history of mankind and the difficulties in meeting it, here, as on the field of battle, constitute a challenge to all that is strongest and best in the free nations of the world.

But what is this league of nations to be?

The representative men of many nations are in singular accord in the conclusion that an international organization will not be accepted which goes further than to imperatively provide that war shall not be commenced until the subject in dispute shall have been submitted to an investigation by an impartial tribunal and its merits reported upon, with a further delay after such report, for new negotiations and for the public opinion of the nations involved to assert itself, informed as it would be by the disinterested investigation and opinion of the league.

It is widely believed that rarely would a nation assume the moral odium of going to war against the impartial conclusion of such a report, but it is also believed that in the present development of world opinion upon the subject the governments would not consent to unite in an agreement to enforce the acceptance of such a report upon an unwilling and dissatisfied nation.

In this belief a group of distinguished American statesmen, lawyers and publicists, with former President Taft as their leader, have rendered a great public service by formulating a constitution or convention for such a league, which may serve as a starting point for discussion now and when the time shall come for settling the terms of the treaty of peace.

The fundamental principles of this constitution are only two and they are very simple:

The first is that no nation which enters the league shall make war upon any other member until the question in dispute between them shall have been submitted to an international court, yet to be constituted, if the question in dispute is a justiciable one, or to a council of conciliation if the question involved is nonjusticiable in nature. The disputed question shall be investigated, with every assistance from the parties in the way of evidence and argument which the tribunal may desire, and a decision or report on the merits of the controversy shall be rendered in a written opinion, which shall be published. Such decision or report shall be published within a year after the case is submitted, and neither party shall commence war against the other within six months after it is rendered.

The acceptance of this principle should present little difficulty, for 30 nations have already accepted it in treaties with our Government which with great propriety have been officially termed "Treaties for the promotion of peace." These treaties have all been executed since August, 1913, and all of the important nations at war have joined in them excepting Germany, Austria-Hungary, and Turkey—a significant circumstance in fixing the blame for precipitating upon the world the calamity of the present war.

The second principle of the proposed league is that if any member shall commence war upon another without submitting to the preliminary investigation and decision or report provided for, all of the others shall unite in the use of their economic resources and, if necessary, their military power to punish the recalcitrant member for violation of its pledged international faith.

Four years ago the first of these principles marked the extreme verge to which nations could be induced to go in the interest of peace, but the harsh teaching which they have received in the hard school of experience during the past four years has brought the responsible statesmen of the great nations to such a new sense of social duty and of international responsibility that the incomparable statement of President Wilson in favor of coercion to secure the peace of the world has called forth acceptances of it in principle from leading statesmen of Great Britain, France, Italy, Austria-Hungary, and for what it is worth from a chancellor of the German Empire, as well as from leaders of many of the lesser and neutral States.

The constitution proposed contains many administrative provisions, but these two are the fundamental principles on which it proceeds. It is to be observed that the agreement to resort to economic coercion and to war is only to compel delay until there shall be investigation and decision or report, and that it does not extend to enforcing such decision or report when either shall be rendered. After the requisite delay,



without incurring the odium of violating any covenant of the league, the savage tribunal of war would still remain open for any nation which should choose to resort to it.

While such a league would be a great advance toward permanent peace and should be accepted if a better can not be secured, yet personally I prefer the counsel of those who would strive to have the covenant of the league provide not only for delay until there shall be investigation and decision or report, but also that all of the resources, military and economic, of the members shall be used to compel its acceptance when made and obedience to all of its commands.

This, not only because I do not share the confidence which many have that a year's delay would suffice to prevent war by cooling fierce national hatreds, such, for instance, as exist among the Balkan States or within the Austro-Hungarian Empire, or by calming national ambition such as that of Germany, which has been half a century in cultivation and development, but also because I believe that the world is ready for this longer and final step forward toward permanent international peace.

Millions of men will return to their homes in every one of the important nations which should be members of the league, convinced by the lapse into savagery which they have seen with their own eyes, that trial by battle is as irrational a manner of settling a national as a private quarrel, and that the nearest approach to securing a just decision of a dispute by human agency is to be found in a council of conciliation or a court selected from the wisest and best of the citizenship of the advanced nations of the world. In the free nations these men will return to a deserved and dominating leadership as the saviors of free government, and in the enemy countries they will be all that will remain not discredited by defeat. Yes, I would confidently put my faith in the men who have seen the most of war, not at a distance, but in the trenches, "on the red edge of battle," as competent and willing to enforce a conclusion which makes for the enduring peace of the world.

Neither do I share the confidence which many persons have that our experience with our Supreme Court in settling disputes between States is conclusive evidence of what may fairly be expected of a similarly constituted international court dependent wholly on moral sanctions for the enforcing of its decrees. Not to dwell upon the futility of the Dred Scott decision, so hopefully relied upon to avert civil war, or the unfortunate party divisions of the judges of the Electoral Commission of 1877, it is sufficient to say that it may be convincingly advanced that the Supreme Court from very early times to decisions rendered in the current year has steadily declined to take jurisdiction over questions falling within the scope of the powers of the political—the executive and legislative—departments of our Government, and that it has been from political, not from justiciable, disputes that most of the past wars have sprung.

Here, if there were no other, is furnished to the bench and bar ample opportunity to serve our country in assisting our neighbors in determining whether this fateful league shall be one merely to enforce delay and investigation, or one the decisions of which shall have a sanction which will make them the accepted and obeyed international law of the world.

But whether this wider or the narrower scope shall be given to the league, the chief opportunity for service on the part of our profession will be in counsel with our fellow citizens as to its constitutionality and its membership, as to the wisdom of our country entering into any covenant—an entangling alliance it will be called—to engage in war it may be, to settle a quarrel which, it will be urged, may be no concern of ours, and as to the answers which should be given, to objections which will range from those of the hopeless and timid who think progress impossible and that future wars are inevitable, to the Chauvinists and selfish who declare that war is not an evil, but is a discipline necessary for the development of all that is best in the physical and spiritual qualities of mankind.

To the objection that we should not expose ourselves to the risk of becoming a party to the future wars of others, the sufficient answer is that it is no longer possible for us to avoid being a party to them. For three years our Government strove with indomitable resolution to avoid participation in the present war, protesting, reasoning, warning, that there was a limit to our endurance of injury and insult, but with the result at last that we were obliged to take up arms "to conquer or submit." These years of experience have demonstrated that the modern world is so knit together that our frontiers touch those of every other important nation; that the innocent must so suffer from future wars; that self-respecting neutrality has become impossible in any general war; and that all wars are likely to become general, and that therefore it has become the chief concern of all the peace-loving nations of the world that all war shall cease. Unless the league shall utterly fail of its purpose, membership in it will involve a covenant on our part to join the honorable nations of the world to protect ourselves and them from nations which are predatory and false, and waiving aside all higher motives, it is the part of prudence if we must make war to make it for a just cause and in the company of honest nations.

Shall Germany be an accepted member of this league of peace? Yes; by all means, yes! and Austria-Hungary also, and necessarily the six other great powers of the world—France, Great Britain, Italy, Japan, Russia, and the United States—for without all of these the league would not be one to enforce the peace of the world at all, but an alliance offensive and defensive to prepare for the next war. Alliances and coalitions of nations rarely have long lives. Great Britain and Germany were allies in the Napoleonic wars and France was their enemy; Great Britain, France, and Turkey were allies in the Crimean war and Russia was their enemy; Germany and Austria were enemies at war in 1866; Russia and Japan, allies in this war, were enemies in 1905; the friendship of Great Britain for France and Russia is of recent origin, and Italy was in terms an ally of Germany and Austria when the present war began. The teaching of this reference to the experience of a hundred years is plain. If Germany and Austria shall be excluded from the league, all of the ingenuity and resource and power which they possess will forthwith be used to strengthen their alliance and to sow discord in and weaken that of their adversaries, and all Europe, divided again into hostile groups, will inevitably return to the old suspicions and to rivalry in arms and armaments in preparation for another war.

This also must be accepted as fundamental, that no peace can be enduring which is not a just peace and that no league can be permanent which does not afford a reasonable prospect of just treatment to every member of it.

To exclude the German and Austrian people from the league, to attempt to impoverish two such great nations and to hold them permanently poor, possessed as they have proved themselves to be of approximately one-half of the military power of the world, would be

to invite new coalitions and alliances and would render inevitable that next war which the prophets of evil so confidently predict.

Equally unfortunate would it be to confine the membership of the league to the great powers. The presence in the league of the secondary and now largely neutral powers, including from America at least Argentina, Brazil, and Chile, will be clearly necessary to persuade Germany and Austria to enter it, for otherwise they would see themselves opposed in the league, as they are now on the field of battle, by the six other great powers, and it would be futile to try to persuade them that for many years to come they could expect from such a court that impartiality and freedom from prejudice so necessary to securing a just settlement of any disputed questions by conference and argument. But in such larger group suggestions of disinterested fairness and sympathy would be possible on which all of the present combatants might confidently rely for an impartial hearing and a just decision.

It is just as necessary to the success of the league that every member nation shall believe that it will receive just treatment as that it actually shall receive it when the time of test shall come. We must aim at a constructive and healing peace—not at an angry, sullen truce which will lead to further war.

There is evidence enough of opposition in this view abroad in the world to make the cultivation of it an opportunity for fruitful service by the members of our profession, natural leaders that they are of that public opinion of our country, to which the responsible statesmen of the allied powers have already shown the greatest deference, as it has been formulated on this subject by President Wilson, in statements which it is not exaggeration to say have been "heard 'round the world."

Shall all questions in dispute between nations be submitted to the league, or shall those relating to vital interests, to independence, or to national honor be excepted, as they have been in arbitration treaties of the past? Or, differently and specifically, are we ready to submit the validity of the Monroe doctrine or the necessity for our going to war with France or Great Britain, with Argentina or Brazil, to the decision of a body in which we should have no greater vote than each of the seven other great powers would have?

Here is the test of our faith—the measure of our confidence in that international tribunal of peace and justice which we are recommending to the other nations of the world.

Not until our allies and friends shall become as internationally faithless as the Germans are can we be called upon by the league to make war upon them, and that is a contingency which we refuse to consider.

Do we lack confidence in the moral basis of the Monroe doctrine? There is one of us who does not. Whatever infirmity may have been thought to be in a doctrine of such comprehensive scope when it was announced has disappeared in the experience of almost a century in which it has preserved all America from sharing in the conditions which precipitated the conflagration in Europe and South America from the untoward fate which the partition of Africa has brought upon that unhappy continent. The noble conception which set apart this hemisphere to development under institutions of its own creating, which cut it off from the intrigues and jealousies of Europe, and which, insuring it from alien influences, has made possible the development of the strong and free States which have emerged one after the other to the south of us has so justified itself that the doctrine could confidently be submitted for approval to any tribunal which such a league would constitute. We all submit our private differences, involving our lives, our fortunes, and our honor, to domestic tribunals, and many of us with equal confidence often submit our rights to the determination of the tribunals of foreign States. Why should we prefer the gun and the torch for the settlement of public controversies? Does the cynical definition of a question of honor still hold true, as one which men refuse to solve by reason?

But I can not pursue objections further in an address which I am admonished must be short. Their name is legion; they will come from the genuine and from the false in every part of our land, and I am pleading with my professional associates that we accept it as our patriotic duty to be ready in every town and hamlet to answer them and to advocate the taking of this step forward toward the realization of the reign of law, without which the allied nations will have fought this desperate war in vain.

The President calls us to this service in his declaration that "mere agreements may not make peace secure. It will be absolutely necessary that a force be created as a guarantor of the permanency of the settlement so much greater than the force of any nation now engaged or any alliance hitherto formed or projected that no nation, no probable combination of nations, could face or withstand it. If the peace presently to be made is to endure, it must be a peace made secure by the organized major force of mankind."

The young men going forward to take their places in the line of battle call us to this service. In every land, with a unanimity which makes it all but a battle cry, they declare that for them this is a war to end all wars; that it shall not cease until the authors of it are punished and freedom and justice and peace are made secure in the world; and that never again shall such a calamity return to desolate the earth. These men will return to dominate, I repeat, to deservedly dominate, the governments which they have saved, and they will not be balked in the accomplishment of their purpose.

But, nevertheless, it is believed that there is as yet no such general thinking or discussion of this vital subject throughout our land as is necessary to the creating of a public opinion sufficient to sustain the President when he shall press it upon the attention of the nations as the most important provision of the treaty of peace—and assuredly there is no agency for the creating of such public opinion comparable to the bar of the United States.

Ladies and gentlemen, the achievement of our country since we entered the war has been very great. Overwhelmed by the magnitude and horror of the struggle, the European nations did not realize the ultimate purpose of the evil genius of the German Government until, in accepting the challenge of the central powers, President Wilson put a new face upon the war and raised it to a new level by declaring, what all the world instantly recognized as true, that this is the fateful, final contest between autocracy and freedom; that it is a war on Germany's part to restore the dominion of kingly government throughout the earth, and on our part and that of our allies to make the world "safe for democracy." This definition alone, watchword and ideal of the free nations that it has become, has proved a moral inspiration to them all equal to the winning of many battles.

When the failure of Russia released great armies for use upon the western front, how splendidly did our country respond to meet the crisis thus precipitated in the fate of freedom and of mankind! By



a marvel of energy and organization, a million of men, since proved to be as good soldiers as any in the world, were safely and swiftly transported over 3,000 miles of stormy and pirate-infested seas to meet the savage onslaught upon heroic France. They met and turned back the tide of invasion, and with our brave allies made the Marne "a river more fateful than the Rubicon," and gave us sure promise of abundant military glory yet to come.

But a greater honor lies beyond. When the war shall end and the roar of the great guns shall cease there is reserved the supreme distinction of all history for the nation which shall have the inspiration of vision and the greatness of soul to lead the other nations of the world out of the valley of the shadow of death of recurring wars into the haven of enduring peace. Pray God that nation may be ours!

#### CALLING OF THE ROLL.

Mr. FRANCE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GAY in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hitchcock	Martin, Va.	Smith, Ga.
Beckham	Jones, Wash.	New	Smoot
Borah	Kellogg	Nugent	Spencer
Chamberlain	King	Overman	Sterling
Fletcher	Kirby	Page	Sutherland
France	Knox	Penrose	Thomas
Frelinghuysen	La Follette	Pittman	Trammell
Gay	Lenroot	Poinexter	Underwood
Gerry	Lewis	Pomerene	Walsh
Gronna	McKellar	Shafer	Warren
Hale	McNary	Sheppard	Wolcott
Henderson	Martin, Ky.	Smith, Ariz.	

Mr. McKELLAR. I wish to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GORF] is absent on account of illness.

Mr. SHEPPARD. I wish to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Kansas [Mr. THOMPSON] are detained on official business.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names; there is not a quorum present.

Mr. CHAMBERLAIN. I suggest that the names of the absentees be called.

The PRESIDING OFFICER. The Secretary will call the names of absent Senators.

The Secretary called the names of the absent Senators, and Mr. POLLOCK, Mr. SAULSBURY, and Mr. SWANSON answered to their names when called.

Mr. CUMMINS, Mr. RANDELL, Mr. FERNALD, Mr. NELSON, and Mr. KENYON entered the Chamber and answered to their names.

Mr. KENYON. I desire to announce the absence of the Senator from Nebraska [Mr. NORRIS] on official business.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

#### VALIDATION OF WAR CONTRACTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. THOMAS. Mr. President, the Hitchcock bill was considered by the Committee on Military Affairs, as has been stated, and reported by a majority of the committee and the unanimous vote of those present, and therefore took its place upon the calendar. The fact that the committee took such action, and afterwards the inconsistent one of favorably considering a bill largely different in its character and scope needs a word of passing explanation.

The Hitchcock bill was very carefully considered by the subcommittee; indeed, the senior Senator from Nebraska [Mr. HITCHCOCK] does his full duty upon every committee of which he is a member. The Senator gives his best thought and his best work to every task that is imposed upon him by his senatorial duties; and it is no reflection upon him that the bill now before the Senate was recommended in its place, but the attention of the committee was called to some of the operating features of the proposed measure, which convinced me that the bill which was offered as a substitute for the measure advocated by the Senator from Nebraska, and which the committee subsequently reported as a substitute for the House bill was, as an operating measure, not only a more effective but perhaps the only effective one of the two.

Mr. President, the subject matter of this bill is composed of a large number of items; that is to say, of different contracts—contracts executed improperly, contracts written but not executed, and oral contracts. It also embodies a geographical condition, these contracts being spread over a large portion of the United States, and involving a detail of production comprehending practically every element essential to the necessary prosecution of the war.

There is no question that these contracts should ordinarily have been signed, and signed in the manner required by the statutes. As an abstract proposition, no one can gainsay this. The statutes of the United States necessarily require care in the execution of contracts calling for an expenditure of public money and in accordance with formulas deemed by Congress to be essential to the public welfare and protection. These were not so executed, and I think for the best of reasons. When engaged in a great war, when in the midst of a great offensive, when conditions crowd upon each other with tremendous rapidity, and when emergencies arise requiring the utmost expedition to meet them, the department would have been false to the country and to itself if it had done otherwise than to act as the emergency required, notwithstanding the necessary disregard of statutory requirements. To have done otherwise might have involved the country in disaster; and I do not think it is fair to reflect upon the action of the department in the making of these contracts in view of these conditions.

There are times, Mr. President, when to follow the law may mean disaster; there are times when to disregard it and take the chances is the highest form of patriotism; and I am satisfied that the course pursued by the War Department with regard to the great, the overwhelming majority of these contracts was the only one to take, and without which the country, indeed, the allies, might have suffered very seriously. And because, Mr. President, they shouldered this responsibility, we should applaud them.

On the other hand, the contractees, men and corporations, who took the chances and came to the help of the Government under these circumstances are entitled to our gratitude and to our thanks; and the least we can do is to save them from the loss with which they are now confronted, and to do it as expeditiously as possible. So that the situation is an unavoidable one. If anybody is to blame for it, it is the nation or the nations responsible for the war. It is not to be attributed to any lack of conscientiousness upon the part of public officials or to any disregard of the law, but to the necessity of the situation, which is said to know no law.

Nor, Mr. President, am I impressed with the idea that the War Department, in its transaction of the public business during the last two eventful years, should be subject to no general criticism of dishonesty or laxity in the performance of its public duties. This department has been intrusted with the expenditure of somewhere in the neighborhood of twenty or twenty-five billions of dollars, the largest sum of money ever intrusted to any department in this country or any other.

There may have been, and probably are, instances—it would be remarkable if it were not so—where men engaged in the public service have, directly or indirectly, profited by their positions. It may be—it would be singular indeed if, under the temptations everywhere surrounding them, in view of the enormous amounts of money at their disposal and the opportunities coming their way—some official here and there did not yield to the surrounding temptations and fall by the wayside. I do not know of any individual instance myself; but, as I say, I shall be immensely surprised if numbers of them are not developed as these contracts are considered and allowed or rejected.

Mr. President, I want to say as a general fact that in the management of this great enterprise, from its commencement to its successful termination, speaking broadly and generally, the War Department has administered the affairs of the Government with honesty, with efficiency, and with success. It is entitled to, and should receive, the warm thanks and gratitude of the people of the United States; and, because here and there a man is under suspicion, I do not think that the Secretary and his able assistants should be subject to a reflection resulting from these individual instances, however well founded they may be. In other words, I am willing to trust the War Department, which made these contracts, with the duty of adjusting them and making appropriate settlements. Indeed, I do not think any other department is so competent to do it, or any other commission which we may provide for or which the President may appoint.

The purpose of this bill is to provide for the settlement of contracts, not their adjudication. It is to provide for the setting aside of those statutory requirements, the nonobservance of which invalidates the contract. It is very much as though you and I were face to face with a contract which we had made and which for some reason was invalid, but which nevertheless we entered into in good faith in an emergency and which, therefore, should be recognized. Now, who are the best people to consider that situation if our minds run in the same direction? Who besides us, who are parties to the contract, should interfere, or can interfere, in the absence of controversy? I do not think, Mr. President, that there will be much controversy with

regard to the bona fides of these transactions. I do not see how there can be. If a man has a contract irregularly executed, or not executed at all, but upon which nevertheless he has acted, there is no ground for adjudication but for recognition and for action upon such recognition; and this brings me, Mr. President, to that feature of the Hitchcock bill which my better-informed judgment has forced me to reject. I refer to that provision of the bill which creates a commission and refers all these contracts to it for adjustment.

The idea is an excellent one, and if but half a dozen, or even a hundred or a thousand contracts were involved it might be the better one; but I am afraid, Mr. President, that in practical operation it will prove to be not only unsatisfactory but delusive, and that instead of granting a remedy it will virtually interpose an obstacle to the ultimate determination of these very insistent matters.

Now, let us see.

It was stated here yesterday afternoon by the Senator from New Jersey [Mr. FREELINGHUYSEN] that the Assistant Secretary of War had informed him yesterday morning that there were 6,000 of these contracts, involving \$1,766,000,000. The State of Colorado was admitted into the Union on the 1st of August, 1876, or 43 years ago. Its Federal district court has been one of the busiest in the land, and the amount of business it has transacted is enormous; yet I think its general docket numbers scarcely exceed 6,000 up to this time. The Supreme Court of the United States has been in existence since the Constitution was adopted. I think its general docket number is under 20,000, although it has been doing business for a century and a quarter. Six thousand contract cases, Mr. President, present to the mind a number the magnitude of which it does not fully comprehend, except upon reflection; and when these 6,000 contracts represent an average of \$294,333 apiece in amount, then the number of the contracts assumes additional dignity and importance because of the average amounts they involve. Of course, many of them involve far more and many far less than this average; but I undertake to say that it would be difficult to conceive of an aggregation of 6,000 controverted cases, the average of which are nearly \$300,000 apiece, except the one which we here are considering.

Mr. President, how long would it take a commission doing its duty between the Government on the one side and the contractors on the other to dispose of these 6,000 cases? First, they must investigate the facts concerning the execution of the agreement—the manner, in other words, in which the contract was evolved—and the circumstances surrounding it; second, the amount of money to be allowed as a fair adjustment upon its recognition. How long will each case take? The average case of importance tried in the courts requires more than one day. There are 300 working days in a year; and if this commission were able to dispose of one case per day, or 300 cases per year, it would have to be in session for 20 years before the 6,000 contracts would be disposed of.

It is true that the Hitchcock bill provides for the appointment of regional boards of examiners; but these regional boards have not the power of determining upon the facts. They take testimony, and the board or the commission, in order to acquaint itself of the facts, must read that testimony, must digest it, and then pass upon it.

Suppose that the commission tried two cases a day; there is 10 years. Ten cases a day would take 2 years; 20 cases a day would require 12 months after the commission is appointed to dispose of these 6,000 cases, and of course that is an absolute impossibility.

To my mind, therefore, the creation of a tribunal of any sort to handle exigent matters of such tremendous scope, comprehending so many items and so much money, would be a practical denial of justice to the holders of these claims against the Government.

On the other hand, the War Department has its machinery already in operation, and only awaiting congressional action to go ahead with this important business and transact it as expeditiously as possible. Up to the time that the question of the validity of these contracts was raised and determined adversely, they were proceeding, and proceeding very expeditiously, to dispose of the matters. The Senator having charge of the bill yesterday inserted, at page 2289 of the CONGRESSIONAL RECORD and following, an outline of the staff of the commissions or boards, or whatever they may be called, which have already been provided for, and which, upon the enactment of this measure, can in their respective jurisdictions take hold and dispose of these claims.

I am willing to trust the Secretary of War, I am willing to trust the boards, the commissions, and the individuals that have been selected for the purpose of transacting this very impor-

tant business. I know that with the possible exceptions that may occur, the great body of these men are just as anxious to serve the Government and just as honest as you or I.

Mr. President, in a matter of this sort, time is of the utmost importance. As lawyers say, it is of the essence of the situation. Delays are expensive, not only to those having claims against the Government but to the Government itself. Every day that these claims remain undisposed of is an added expense of millions of dollars to the Government of the United States. In France alone there are claims involving over three-quarters of a billion of dollars—claims which, in my judgment, are not affected by the statutory requirements relating to the execution of contracts in the United States; claims needing adjustment there and here to save from bankruptcy men and corporations who have tried to help the Government, and have taken these chances; claims the settlement of which is necessary to the continued employment of labor in this country; claims the justice of which is beyond doubt in most cases; claims the settlement of which is essential to the welfare of the Government and to those who hold them.

That being so, let us give jurisdiction to that tribunal whose machinery will enable it to act upon these things at once, and have them all practically determined and disposed of within the next four or five months. That is beneficial to the Government. That, and that alone, Mr. President, is the extension of true and adequate justice to the men and the corporations who need this legislation so badly.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, I shall ask for a roll call on the vote between the committee bill and that which bears my name. I should like to ask the chairman whether he has any objection to substituting my bill for the House bill without a record vote. If by consent it can be substituted for the House bill, then we will have only one record vote.

Mr. KIRBY. I should object to that. It would be adopting the Hitchcock substitute.

Mr. FLETCHER. I think the question first comes on substituting the amendment of the Senator from Nebraska.

Mr. HITCHCOCK. No; my amendment is an amendment to the House bill; that is, it is perfecting the House bill; and after it is perfected the Senator from Oregon will move to substitute his bill for the House bill as perfected.

Mr. CHAMBERLAIN. I think probably the record vote had better come on the pending question.

Mr. HITCHCOCK. Yes; but I was just suggesting that we will avoid that by adopting my amendment as a substitute for the House bill at this time.

Mr. CHAMBERLAIN. I will say to the Senator that I think the record vote had probably better come on substituting his measure for the House bill.

The PRESIDING OFFICER. The Chair understands that the question is on the amendment offered by the Senator from Nebraska.

Mr. HITCHCOCK. As a preliminary, then, to a vote, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	Nelson	Smoot
Beckham	Johnson, S. Dak.	Now	Spencer
Chamberlain	Jones, N. Mex.	Nugent	Sterling
Culberson	Jones, Wash.	Page	Sutherland
Cummins	King	Penrose	Swanson
Fletcher	Kirby	Poindexter	Thomas
France	Knox	Pollock	Townsend
Frelinghuysen	La Follette	Reed	Trammell
Gay	Lenroot	Shafroth	Underwood
Hale	McKellar	Sheppard	Wadsworth
Hardwick	McNary	Simmons	Walsh
Henderson	Martin, Ky.	Smith, Ariz.	Weeks
Hitchcock	Moses	Smith, Ga.	Wolcott

Mr. SHEPPARD. I desire to announce that the Senator from Rhode Island [Mr. GERRY] and the Senator from Virginia [Mr. MARTIN] are detained on official business.

Mr. SIMMONS. I wish to announce the unavoidable absence of my colleague [Mr. OVERMAN] on official business.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Fifty-two Senators have answered to their names. There is a quorum present.

Mr. LENROOT. Mr. President, the principal difference now between the substitute amendment of the Senator from Nebraska [Mr. HITCHCOCK] and the committee bill is the original jurisdiction of the commission which is provided for in both bills to determine these claims, the Hitchcock amendment giving full and complete jurisdiction to the commission, with certain limi-



tations, which I shall refer to in a moment. The committee bill provides that the Secretary of War shall in the first instance adjust these claims and with the approval of a representative of the Department of Justice may pay them to the contractor, but the contractor, and in certain cases the Department of Justice, may appeal to the commission.

I think we are all in sympathy with the purpose the Senator from Nebraska desires to accomplish if it were practical, but even the Senator who proposes this amendment recognizes the fact that it is not practical to give original jurisdiction to this commission to investigate fully and determine all these claims, because to do so would involve months and months of delay and disaster to many, many industries in the country.

The Senator from Nebraska has sought to avoid that very serious difficulty by the provision in his amendment which provides that the Secretary of War shall file with the commission a statement of the award that he believes to be just and the amount which the claimant is entitled to. Then he provides that if the claimant shall file a statement with the commission "offering to accept the amount awarded by the War Department in full for said claim the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive."

Mr. President, to my mind this language, if it shall be adopted, will prevent the commission from examining the very cases that it ought to examine and investigate. It will deprive the commission of the jurisdiction where it will be beneficial to the Government and give it to the commission only where it is in the interest of the contractor. Why do I say that? Because with the very minimum number that has been suggested of 6,000 claims, and the Senator from Tennessee suggested it might run from 10,000 to 60,000 claims, with the War Department now prepared with a very large percentage of them to immediately make adjustments, what would happen if the amendment of the Senator from Nebraska is adopted? We would have immediately filed with this commission some thousands of claims. Supposing there were only 100 claims a day, every one of those claims under the Senator's amendment must be paid at the end of 10 days, unless there is evidence produced before the commission that the claim is excessive.

Mr. President, it would be a physical impossibility for this commission to get before it evidence that these claims were excessive within the period of 10 days. The commission would have no authority to retain jurisdiction of these claims longer than 10 days, unless after the filing of the claim it had proceeded upon investigation of that claim and had before it some evidence that the claim was excessive.

It may be said that it might call upon the War Department for all the files and testimony and records. I call attention to the fact that under the amendment of the Senator from Nebraska the War Department is not required to file any papers other than a statement of the amount awarded and the name of the contractor. But suppose the commission pursued that plan and asked the department for all the files and all the claims and all the testimony it had upon file before it, the commission certainly would not go upon the theory that some of the claims were excessive and permit payment of same, and take jurisdiction of others, because if it had only 100 claims a day for 10 days what would it mean? It would give the commission about six minutes for the investigation of a claim to find out whether, in its judgment, there was some evidence that the award was excessive—an absolute impossibility.

So the result would be, in my judgment, under the Senator's amendment, that, if there are awards that are excessive by the War Department, the contractor, of course, would immediately file his acceptance of that award, and the commission would have no opportunity within the 10 days to secure or produce evidence that it was excessive, and it would then become mandatory upon the commission to pay that excessive claim.

Now, contrast that with the provision in the committee bill. In my judgment, the phraseology is not happily worded, but I do not think there can be any question as to the construction. Under the committee bill the provision is as follows:

That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act, or refuses to tender such contract or compensation, the party to whom said contract or compensation is tendered or refused or the Government, by a duly authorized officer from the Department of Justice, may file with the chairman of the commission a notice of appeal: *Provided, however, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government, but settlement can be made at once.*

As I construe the committee bill, it is contemplated that representatives of the Department of Justice shall work with the War Department at all times, acting as counsel for the Government in the investigation of these claims; that when the Secretary of War shall make an award if counsel for the Government shall

be of the opinion that that award is or may be excessive he then has 30 days in which to further investigate that question and make an appeal. Then if he believes that it should be investigated by the commission he files his appeal.

In other words, under the committee proposition counsel for the Government sits in and is familiar, as counsel for a private party would be, with all the proceedings, and then when the award is made he still has 30 days within which to file his appeal, unless he is satisfied that justice is done to the Government and that the interests of the Government are protected.

As I said, I do not think that this provision is happily phrased. I do not think that the word "tenders" is a proper word to use in this connection. Certainly, it is not used here, I think, in the ordinary sense of a legal tender. The phraseology later on is absolutely contrary to any such idea, because to tender compensation ordinarily would mean that the party to whom compensation is tendered could immediately accept it. When it is said in the same paragraph that if the representatives of the Department of Justice agree with the War Department a settlement may be made at once, it seems to me that that negatives the idea that the word "tenders" is not used in its ordinary meaning. It does seem to me that that should be cleared up, and I think the word "offers" or "proposes" should be used.

Mr. KNOX. Where is that to be found?

Mr. LENROOT. On page 7.

Mr. McKELLAR. In what line?

Mr. LENROOT. In line 20 of the reprint.

I wish to ask the chairman of the committee whether in his opinion I have given the interpretation to this language he thinks the committee intended to give to it?

Mr. CHAMBERLAIN. That was the intention of the committee.

Mr. LENROOT. Does not the chairman think that there should be some other word than the word "tenders" to express the purpose?

Mr. CHAMBERLAIN. If the Senator can suggest a word, I will be glad to accept such an amendment, because that was the purpose of the committee.

Mr. LENROOT. Will the Senator then agree to strike out the word "tenders" and insert the word "offers"?

Mr. CHAMBERLAIN. I have no objection.

Mr. LENROOT. I think that that would clear it up. I will then offer an amendment on page 7, line 20, to strike out the word "tenders" and insert the word "offers."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In the original print, page 7, line 12, after the word "War," strike out the word "tenders" and insert the word "offers."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. My next amendment is to strike out the word "tender" and insert the word "offer" after the word "to" in the next line.

The SECRETARY. On page 7, line 13, before the word "to," strike out the word "tender" and insert the word "offer."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. I think it must be very clear that before payments can be made under the committee bill the counsel for the Government must agree that the payment is proper and the interest of the Government is protected. If he is not so satisfied, under the committee bill he has 30 days in which to further investigate, and either agree or appeal, while under the amendment of the Senator from Nebraska these things must be determined within 10 days, and in cases where an award is excessive the interests of the Government are not protected under his proposition.

For these reasons, Mr. President, I feel very clear that for the protection of the Government the bill as reported by the committee is preferable to the amendment offered by the Senator from Nebraska.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Before the question is put, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gay	Jones, N. Mex.	Lenroot
Beckham	Gore	Jones, Wash.	McKellar
Borah	Hale	Kenyon	Martin, Ky.
Chamberlain	Henderson	King	Moses
Culberson	Hitchcock	Kirby	Nelson
Cummins	Johnson, Cal.	Knox	Nugent
Frelinghuysen	Johnson, S. Dak.	La Follette	Page



Poindexter  
Pomerene  
Reed  
Saulsbury  
Shafroth

Sheppard  
Smith, Ariz.  
Smoot  
Spencer  
Sterling

Sutherland  
Thomas  
Townsend  
Trammell  
Underwood

Vardaman  
Walsh  
Warren  
Weeks  
Wolcott

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. LEWIS and Mr. SWANSON answered to their names when called.

Mr. FERNALD entered the Chamber and answered to his name.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. In his absence, I refrain from voting.

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. In his absence, I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my general pair with the senior Senator from North Dakota [Mr. McCUMBER] to the senior Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. CHAMBERLAIN (when Mr. WILLIAMS's name was called). The senior Senator from Mississippi [Mr. WILLIAMS] is on his way here, but he has been unavoidably detained. He stated to me that he would vote "nay" on this question.

Mr. WOLCOTT (when his name was called). I transfer my general pair with the Senator from Indiana [Mr. WATSON] to the Senator from California [Mr. PHELAN] and vote "nay."

The roll call having been concluded,

Mr. UNDERWOOD. I have a general pair with the senior Senator from Ohio [Mr. HARDING], but I am authorized to vote on this question. I vote "nay."

Mr. PENROSE (after having voted in the negative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I know that that Senator has not voted, but in view of the statement of his attitude made by the chairman of the committee, I will permit my vote to stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN], which I transfer to the Senator from Arizona [Mr. ASHURST] and vote "nay."

Mr. LODGE. I desire to announce that the Senator from Kansas [Mr. CURTIS] is detained on official business.

Mr. SHEPPARD. I wish to announce that the Senator from Kansas [Mr. THOMPSON] is necessarily absent on official business. If present, he would vote "nay" on the passage of the bill.

Mr. POLLOCK. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained on account of illness.

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 8, nays 55, as follows:

## YEAS—8.

Borah	Hitchcock	La Follette	Nugent
Gore	Jones, Wash.	McKellar	Reed

## NAYS—55.

Bankhead	Johnson, S. Dak.	Overman	Smoot
Beckham	Jones, N. Mex.	Page	Spencer
Chamberlain	Kirby	Penrose	Sutherland
Culberson	Knox	Pittman	Swanson
Cummins	Lenroot	Poindexter	Thomas
Fernald	Lewis	Pollock	Townsend
Fletcher	Lodge	Pomerene	Trammell
France	McNary	Ransdell	Underwood
Frelinghuysen	Martin, Ky.	Shafroth	Wadsworth
Gay	Martin, Va.	Sheppard	Walsh
Hale	Moses	Sherman	Warren
Hardwick	Myers	Simmons	Weeks
Henderson	Nelson	Smith, Ariz.	Wolcott
Johnson, Cal.	New	Smith, Ga.	

## NOT VOTING—33.

Ashurst	Goff	McLean	Smith, S. C.
Baird	Gronna	Norris	Sterling
Brandeggee	Harding	Owen	Thompson
Calder	Hollis	Phelan	Vardaman
Colt	Kellogg	Robinson	Watson
Curtis	Kendrick	Saulsbury	Williams
Dillingham	Kenyon	Shields	
Fall	King	Smith, Md.	
Gerry	McCumber	Smith, Mich.	

So Mr. HITCHCOCK's amendment was rejected.

Mr. CHAMBERLAIN. I believe the vote now is on the committee amendment as amended.

The VICE PRESIDENT. The vote is on the committee amendment as amended.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

## POST-OFFICE APPROPRIATIONS.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of House bill 13308, known as the Post Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with amendments.

Mr. BANKHEAD. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, the committee amendments to be first acted on.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

Mr. SMITH of Georgia. I ask the Senator from Alabama to consent to have his bill laid aside temporarily in order that I may secure the disposition of a conference report.

Mr. BANKHEAD. How long does the Senator think it will take?

Mr. SMITH of Georgia. About five minutes.

Mr. BANKHEAD. Very well. I ask unanimous consent that the Post Office appropriation bill may be temporarily laid aside for that purpose.

The VICE PRESIDENT. Without objection, the Post Office appropriation bill will be temporarily laid aside for the purpose indicated by the Senator from Georgia.

## SALARIES OF JUDGES—CONFERENCE REPORT.

Mr. SMITH of Georgia. Mr. President, I ask unanimous consent that the conference report on House bill 12001 be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the conference report referred to by the Senator from Georgia, which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

"The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the Circuit Court of Appeals of



the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

HOKE SMITH,  
WILLIAM H. KING,  
J. O. WOLCOTT,  
FRANK B. BRANDEGEE,  
LEBARON B. COLT,

*Managers on the part of the Senate.*

E. Y. WEBB,  
C. C. CARLIN,  
H. J. STEELE,  
A. J. VOLSTEAD,  
GEORGE S. GRAHAM,

*Managers on the part of the House.*

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

#### THE CENSUS—CONFERENCE REPORT.

Mr. SHEPPARD. Mr. President, will the Senator from Alabama yield to me, in order that I may make a motion in reference to the conference report on the so-called census bill heretofore submitted by me?

Mr. BANKHEAD. I yield to the Senator from Texas for that purpose, if it will take only a few minutes.

Mr. SHEPPARD. A few days ago I submitted the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses. I now ask unanimous consent to withdraw that report.

The VICE PRESIDENT. The conference report is withdrawn.

Mr. SHEPPARD. I ask that the action of the House of Representatives on the census bill be laid before the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, receding from its disagreement to the amendment of the Senate numbered 12 to the bill, and agreeing to the same with an amendment, in which it requested the concurrence of the Senate; further insisting upon its disagreement to the remainder of the amendments to the bill, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHEPPARD. I move that the Senate still further insist upon its amendments and agree to the further conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE conferees at the further conference on the part of the Senate.

#### POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. Mr. President, before the Senate proceeds with the consideration of the pending bill I think I can make a statement which perhaps will facilitate that consideration.

It will be observed that quite a number of changes have been made in the figures as printed in the bill. That is made necessary by reason of the fact that the House of Representatives in passing the bill made its estimates upon the basic law without reference to increases which have been made, and when the House came to run out its figures and make its totals there was a failure to carry out the figures which should have been

carried out in order to meet the appropriations. Therefore the Committee on Post Offices and Post Roads on the part of the Senate had to correct those figures, and they are indicated in the bill. I make the statement in order that Senators may understand why it is that, as I have said, there are so many changes in the figures as presented in the House bill.

Mr. POMERENE. Mr. President, I desire to ask the Senator from Alabama what increases were allowed by the committee in the case of carriers and clerks of post offices?

Mr. BANKHEAD. The increase is the same as that contained in the bill of last year, \$200, and the bill restores automatic promotions.

#### IMPROVEMENT OF PUBLIC ROADS AND HIGHWAYS.

Mr. SWANSON. Mr. President, there is a provision in the bill to increase the appropriation for good roads, to which I desire to address myself for a few moments.

Mr. President, there is no question pending in America to-day more important to the well-being and development of her people than the improvement of public roads and highways. I have always considered this as the most paramount of our unsolved practical problems. One of the first measures introduced by me when I became a Member of the Senate in 1911 was a bill to extend over a period of five years an appropriation by the Federal Government to aid the several States in the construction and improvement of their public roads. Upon the presentation of this bill I made a very extended speech urging Federal aid to road improvement and pointing out both the justice of such action and the great advantages which would accrue from Federal participation in road improvement. Those of us who were deeply and earnestly interested in this subject in season and out of season persistently continued our efforts and finally achieved success when the Congress, in 1916, enacted legislation extending Federal aid for five years to road improvement in the States. There is no act of Congress in the passage of which I actively aided and participated that I take more pride in than this piece of legislation. I was a member of the Post Offices and Post Roads Committee from which the legislation was reported to the Senate and a member of the conference committee which finally determined its provisions. We were content to commence with small appropriations until the Federal Government and the States obtained suitable road organizations and methods, thus insuring that the money would not be wasted and that its expenditure would result in substantial benefits. We expected when these organizations had been perfected that the Federal Government would largely increase these appropriations. We were satisfied that the great benefits accruing from the cooperation of the Federal Government with the States would be so apparent and so marked that there would soon be a demand for a large increase in the Federal appropriations. Our expectations have been fully justified. An impetus has been given to road construction and improvement which previously did not exist. The benefits from Federal aid have been so immense that the President of the United States and the Secretary of Agriculture, under whose direction the expenditures have been made, have earnestly recommended the increase in the appropriations granted under this legislation.

The pending bill proposes to largely increase the appropriations granted by the Federal Government under the provisions of the existing law. I was a member of the subcommittee that examined the matter thoroughly and favorably reported this measure to the full Committee on Post Offices and Post Roads of the Senate, which committee, after hearing the report of the subcommittee, practically unanimously recommended the increases provided for in the bill. I had previously introduced an amendment to the pending bill carrying provisions substantially similar to these now reported.

The amendments contained in the pending bill increase the appropriations made by the act of 1916 to the extent of \$50,000,000 for the fiscal year ending June 30, 1919; \$75,000,000 for the fiscal year ending June 30, 1920; and \$75,000,000 for the fiscal year ending June 30, 1921, making an aggregate increase over the amount heretofore appropriated of \$200,000,000. The amount expended out of the appropriations heretofore made is about \$75,000,000. This, added to the \$200,000,000 increase provided by the pending bill, will make a total of \$275,000,000 to be expended by the Federal Government up to June 30, 1921, toward aiding communities and States in the construction and improvement of their public roads and highways.

Under the method of distribution adopted Virginia would receive out of these appropriations up to June 30, 1921, the sum of \$5,458,162.37, to be added to a like amount from the State and local communities, to improve and develop her public roads. Thus, the practical effect of this amendment, if adopted, would

be to secure for road improvement in the State of Virginia to June 30, 1921, the sum of approximately \$10,900,000.

In addition the bill authorizes the Secretary of War to transfer to the control of the Secretary of Agriculture all available war material not needed for the present purposes of the War Department and suitable for use in the improvement of highways, to be used on the roads constructed in whole or in part through Federal aid. This provision, if enacted, will cause to be furnished immediately to the State authorities a large amount of road material and machinery which will be of inestimable benefit. This will make available a large quantity of valuable material and machinery that otherwise would be of little benefit to the Government and might ultimately be wasted.

Mr. President, there is no bill pending in the present Congress the passage of which I more earnestly favor than this measure, and none that I believe will obtain for the various sections of our country more beneficial results and advantages. The world is entering upon a great era of competition in production and sale of agricultural, mineral, and manufactured products. This future commercial competition will far exceed all such conflicts of the past. The nation that is best equipped will be better prepared to successfully produce and sell. The progress of this Nation in nearly all directions has been phenomenal. We are to-day the greatest manufacturing people in the world. The products of our factories exceed those of Britain and continental Europe combined. Our mines furnish the world more than one-half of its mineral products and wealth. Our plains and prairies are recognized as the granaries of the world. Cotton continues the king of plants, and the world's comfort and clothing are dependent upon the white fields of the South. We occupy to-day the foremost place in the world's commerce. Our exports now exceed those of Great Britain. Our wealth to-day far exceeds that of any other two nations combined. We have become supreme in finance, our banking capital and supply of gold being the greatest possessed by any people. In miles of railroads, navigable rivers, and improved harbors we are unsurpassed. We have shown recently in an amazing degree our ability to mobilize in a very short time a great army and navy, win great victories, and successfully conclude a world war. These are achievements of which any nation may well be proud.

Yet, Mr. President, with all these wonderful material advantages, it is admitted to-day that we have the poorest system of public roads and highways of any civilized nation. We have to-day, roughly estimating, 2,500,000 miles of highways in the United States, and of this mileage about 296,000 miles, or 12 per cent of the total, are surface roads. No other civilized nation possesses such a wretched condition of public highways. With our wonderful energy displayed in every other field of human endeavor, with our amazing wealth, there is no justification for such wretched road conditions. Our energy and our money have been generously expended in every other direction except in the betterment of our highways. After careful examination and thoughtful consideration of this subject, I am satisfied that our neglect in this respect has been one of the greatest misfortunes that has affected us as a people and should be remedied as quickly as possible.

No one can estimate the annual loss incurred by our people in traveling and hauling over these wretched public roads. Our internal commerce exceeds the interforeign commerce of the entire world. It is estimated that 90 per cent of our internal commerce must, first or last, be hauled over the public roads. The average haul of this vast commerce over the public highways, after a careful investigation, has been estimated at a little more than 9.4 miles. Careful investigation fixes the cost of hauling these products at 23 cents per ton per mile. The cost of hauling per mile over the splendid roads of France is, on an average, 7 cents per ton; the average cost in England about 11 cents per ton per mile.

If the more important and main lines of our public-road system were improved equal to those of France and Britain, it is estimated by good authorities that our products could then be hauled over our entire system of roads at a cost of 12 or 13 cents per ton per mile. A joint commission of Congress on Federal aid in the construction of post roads, of which commission I was a member, reported it was estimated that in 1914 718,000,000 tons of produce were hauled over our public roads. The amount now hauled over our public roads will exceed 900,000,000 tons each year. If our main lines were improved, as suggested, we would certainly save, under all conditions about 8 or 9 cents per ton per mile in hauling this immense tonnage, which would save in transportation cost over \$700,000,000 per year. Our loss in transportation over wretched roads certainly aggregates yearly this vast amount. In other words, the United States pays annually a mud tax of \$700,000,000. If

half of this loss was annually appropriated for road improvement for many years, all of our main and important lines of roads could be splendidly improved. We can not compete with other nations in the marketing of agricultural, mineral, and manufactured products unless we promptly remedy the seriously wretched condition of our highways.

But the foregoing does not include all of the loss occasioned this country by its bad country roads. The poor condition of the highways renders it impossible to market much of the products of the farm. When the cost of transportation and the cost of production exceed the selling price it is impossible for the producer to dispose of his products at a profit; hence production is arrested. In many sections farmers fail to raise certain important crops because the cost of hauling them over miserable country roads is so great that they sustain loss instead of profit. It has been estimated that more than one-third of our perishable foodstuffs never reach the consumers on account of bad roads. This country sustains a loss of many, many million dollars each year, to both producer and consumer, on account of this wretched condition. Our bad roads have also made it impossible in many sections to raise a great diversification of crops, such as is done in France and England, with their splendid road system.

Another great detriment to this country which has resulted from its miserable country roads is the forcing of the people to leave the rural sections and congregate in towns and cities. This fact is strikingly disclosed by the census returns. In 1790 only 3.4 per cent of our population dwelt in cities. In 1910, 46 per cent of our population lived in cities. This explains why so many acres of fertile land remain untilled, while the city, with its insanitary and unwholesome tenements, is crowded with human beings whose standard of living and methods of life result in their mental, moral, and physical decay. Statistics show that wherever the country is blessed with good country roads the rural population is increased in number, in comfort, and in wealth. School attendance, with all educational advantages, accompany improved roads. Good schools and good roads go hand in hand.

We have in this country more than 400,000 acres of undeveloped and uncultivated lands, which good roads would make available and profitable for agricultural purposes. Good roads would bring to these sections thrifty and prosperous farmers, greatly adding to the national wealth.

The farmers of our country can not successfully compete with the farmers of other countries unless we improve their roads, cheapen transportation, and thus reduce the cost of production. In a few years we will have a merchant marine equal to that of Britain, which nation for many years has had a monopoly of shipping. This will insure us fair rates from our ports and enable our products to reach all the markets of the world; but this great advantage will almost be destroyed unless we build good roads and lessen the cost of transportation from the farm to the depot, river, or port. Water transportation had so decreased prior to the beginning of the recent war that it cost the farmer 1.6 cents less to ship a bushel of wheat from New York to Liverpool, a distance of 3,100 miles, than it did to haul that bushel of wheat 9.4 miles, the average haul from his barn to the depot. We can not expect our farmers to sell their products of their farms in the markets of the world unless we reduce the cost of transportation by the improvement of our roads.

Mr. President, in addition to this, justice and fair dealing to the farmer demand that the Federal Government should extend him generous aid in road improvement. Next to our brave and gallant soldiers and sailors, no class of our citizens are more deserving of commendation for winning the great war in which we were engaged than the farmers.

The Government told him that our allies were destitute of food, that the world was confronted with starvation, and that our military success was dependent upon his energy and efforts. What the farmer accomplished can not be told in mere figures, but some conception may be had when I tell you that during 1917, the first year of the war, he increased the acreage of farm crops 22,000,000 acres over that of 1916, and not content with this great showing, added another 6,000,000 acres in 1918. During the two years of war the average yield of cereals was 5,717,000,000 bushels as compared with 4,719,000 bushels in 1916, or nearly 1,000,000,000 bushels increase. Over the wretched highways of this country last year the farmer moved more than 4,000,000,000 pounds of food, his patriotic response to the call for a supreme effort that our armies in Europe, our allies, and ourselves might be fed. How wonderful is this achievement when we consider that in doing all this the American farmer was handicapped by shortage of fertilizer for his land, by isolation from markets and shipping points, due to bad roads, made doubly trying by the hardest winter of the past quarter cen-



tury, and, finally, that he had to do this great task almost single handed, because his hired men and his able-bodied sons were at the front in France. It is a record of patriotic work of which the farmer may indeed be proud and which entitles him to every consideration at the hands of his Government. It should compel his Government to fulfill faithfully every promise made him and to extend in the future every generous aid and assistance to him. This wonderful achievement not only entitles the farmer to every consideration at the hands of the National Government, but it demonstrates conclusively the vital part which farm life plays in the welfare of the Nation and of the world and makes clear our duty to do everything possible to foster and protect this great industry upon which our existence depends. The best assistance we can now render him is prompt and generous national aid in road construction and improvement.

Mr. President, the travel over our highways at the present time is national, State, and local. It is not just to expect local communities to construct and maintain roads over which the travel of State and Nation far exceeds the local traffic. It is utterly impossible for local communities to bear the expense of constructing macadam or hard-surface roads. To do so would require such heavy taxes as to practically bankrupt the local communities. A system must be devised whereby this expense can be fairly distributed. The only way in which this can be accomplished is by the appropriation of money out of the State and National treasuries. By this means the cities and rich communities are enabled to share with the country sections their full burden of road construction and improvement. Since both country and city receive benefits alike from good roads, each should share the burden.

The Federal Government is further interested in good road improvement, since it can more cheaply and more efficiently carry its mails and parcel post over good roads than bad. I believe the cost of carrying the mails in rural sections will be reduced more than one-third when this country possesses good country roads.

Besides, the large appropriations contained in the pending measure will do something tangible and helpful in the giving of employment to our returning soldiers and sailors and the men temporarily out of employment by reason of the transition from war to peace conditions. A better time could not be selected for the institution of a vigorous and generous system of road improvement than the present. Let me also suggest that the Government in aiding in building roads will be engaged in a definite and useful enterprise very much needed and of primary importance, even if the question of keeping labor employed is left entirely out of consideration. I commend this sort of an enterprise to the Members of the Senate as much more worthy of support than any miscellaneous and aimless appropriations of money for public works solely to keep labor employed. In the one case we are working for a purpose—a purpose which contemplates permanent results; in the other case we are working to a palliative, a temporary makeshift undertaking. Road building will employ directly a large number of men and these men will, for the most part, be unskilled laborers—those whom it is hardest to place in times of widespread unemployment. It is a conservative estimate to say that at least half of the total amount expended for highway construction goes for the direct employment of labor.

Mr. President, the passage of this bill, with the amendments contained therein for Federal aid in road construction and improvement, will mark a great epoch in the history of this Nation. It will indicate a determination by the Federal Government to bear its fair share of the burden of improving our public roads and will mark the beginning of the end of bad roads in this country. It will open a new chapter in our history, each leaf of which, when turned, will gleam with more happy country homes, better schools and churches, and larger and more prosperous rural communities. Imagination will be powerless to picture through the vista of coming years the increased health and happiness, the increased wealth and power, and the great moral and material advance which will come to this Republic upon the completion of a great national policy of road construction and improvement.

Mr. KENYON. Mr. President—

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Iowa?

Mr. SWANSON. I yield.

Mr. KENYON. I should like to ask the Senator if, in his address, he shows what have been done under the appropriations we have heretofore voted for this plan of road construction?

Mr. SWANSON. I have not made a detailed statement as to that, but that is set out in the report of the committee.

Mr. KENYON. Have roads under Federal appropriations been built under any plan or merely in a haphazard manner?

Mr. SWANSON. They have been built under a good plan.

#### GERMAN COLONIAL POSSESSIONS.

Mr. BORAH. Mr. President, I desire to occupy the attention of the Senate for only a moment, not to make an extended speech but simply to record early my protest—an easy thing to do, and generally a fruitless thing to do. But I do not propose to be caught by the law of estoppel.

I read in this morning's newspaper the following:

As the result of a private meeting to-day between Gen. Smuts and Col. House, virtual agreement has been reached on the troublesome questions involved in the insistence of Japan, Australia, and New Zealand that the conference confirm the secret understanding reached between Great Britain and Japan for disposition of the captured German colonial possessions.

Mr. Lloyd George spent most of the day endeavoring to persuade the British colonial ministers to recede from their position in favor of observing the secret arrangement.

In consequence of these occurrences it is not going beyond the bounds of probability to say that the principle of internationalizing the German colonies, with a future administration intrusted to governments designated by the league of nations, will be recognized by the peace conference.

It is impossible to exaggerate the importance of this outcome of the greatest diplomatic battle fought behind the closed doors of the Quai d'Orsay.

Mr. President, the first thing to which I call attention is the fact that these stupendous arrangements are being consummated behind closed doors, and that the American delegation have not only acquiesced in the proceedings being behind closed doors but that they are now engaged in confirming and sustaining secret agreements heretofore made. The vice of the secret meeting is beginning to reveal itself. It would have been bad enough if we had been compelled and had acquiesced in the matter of holding secret meetings for this particular conference; but it is going a long way for our delegation to engage, through secret meetings and private understandings, in the confirmation of secret treaties heretofore made, for the purpose of disposing of the most vital affairs of the different nations engaged in this late war.

Mr. President, while I do not, of course, know the local conditions which surround the delegation, I wish it were possible for the delegation once and for all to insist that without the maintenance in all of its integrity of the first of the 14 principles announced by the President it will be practically impossible to realize any of the other 13. If we concede that these matters may be arranged and consummated in secret, the principles announced in the other 13 propositions will never come to fruition as a result of the conference at Versailles. The President was quite correct in announcing his 14 principles, in announcing his first as precedent to all others—that it was necessary to arrive at these agreements openly, because without that program and that process of arriving at conclusions there it will be practically impossible to realize any part of the other 13 principles.

Mr. KING. Mr. President, will the Senator yield?

Mr. BORAH. I yield to the Senator from Utah.

Mr. KING. I do not quite understand the basis of the Senator's criticism of the procedure at the Versailles conference, wherein he complains that there is a lack of information; that the peace negotiations negative the promise made that there should be open diplomacy. Exactly what is being done and the steps which are being taken are not only revealed to the country from day to day by the very newspaper from which the Senator has just read, but dispatches containing similar information are doubtless sent throughout the world each day. As a result, from day to day we know precisely the steps that are being taken by the respective parties in attendance upon the peace conference in their efforts to agree upon terms of peace. Obviously, the Senator would not require that Col. House or other representative of our Government and representatives of other nations should conduct all of their conversations, all preliminary talks and negotiations, in the open, upon the housetops, and in the presence of the representatives of the press of the world. There must be of necessity private conversations and informal discussions between the various representatives, which if open to all would inevitably lead to strife and jealousies and misunderstandings that might work irreparable harm. Informal discussions between a portion or all of the peace delegates must be had, and publicity in all cases would defeat the ends of justice and provoke animosities and delay a final agreement. To present coherent and tangible propositions for consideration in the conference there must be preliminary discussions which, if conducted in public, might prove highly disadvantageous. A working program for the conference must be prepared—something concrete. The delegates can not profitably

proceed on masse without some plan or thought-out propositions to be submitted and then discussed, after throwing everything into the hopper, the propositions to be embodied in the peace treaty. It would not be the rational or the sensible or the proper thing to do.

Mr. BORAH. Mr. President, that is the argument for secret diplomacy which has been made for 100 years. There is nothing new or original in the proposition. Nobody contends that every particular individual interview should be held in the open, and I care nothing about individual interviews. What I contend is that when they are sitting as delegates, and conferring and agreeing as delegates, the same as we do here, their proceedings should be in the open, and we should not be compelled to rely upon the construction put upon the proceedings by a reporter. That is what we have here. We have no authoritative statement at all, and we have no details as to what were the considerations which led up to the final agreement or understanding, or what the obligations are. We are simply confined to what the reporter could gather from the conversations in the lobbies, and so forth.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. Have the terms of the so-called secret treaty between Great Britain and Japan with reference to the German colonies been made public?

Mr. BORAH. I have not seen them. They may have been.

If the Senator from Utah will take up, for instance, and read that which was given out authoritatively this morning, you get nothing out of that. There is no information whatever there; and you have to turn to that kind of authority which is no different from what the Senator or I would gather if we were about the hotel lobbies, and so forth, picking up this and that in the way of information. I maintain that the Senator can not regard that as in any sense complying with the first of the President's 14 principles.

What did the President mean when he said "open covenants, openly arrived at"? He knew precisely, and he was very careful to use language which would exclude a program which gave to the people who were to be bound by it nothing until the binding obligation had been entered into. Col. House does not state that this conclusion has been arrived at. Gen. Smuts does not state that this conclusion has been arrived at. No one authoritatively states it; but it is gathered there in the way of inferences, and so forth, and you call that "open covenants, openly arrived at"!

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Utah?

Mr. BORAH. I yield.

Mr. KING. I make bold to assert that there will not be a treaty of peace signed until the world knows every term that is to be incorporated in it, and they will know just as soon as any term is agreed upon; we will not have to wait until all of the terms of the treaty have been agreed upon.

It seems to me that the Senator is highly technical in criticizing the proceedings because of a lack of "openness." We know substantially everything that is being done. If any agreement has been reached upon any point we will know it.

Mr. BORAH. We will.

Mr. KING. It will be announced.

Mr. BORAH. Of course.

Mr. KING. It will be announced before it becomes binding upon the parties, because the reaching of an agreement as to one matter will not bind them to a treaty until the complete treaty or agreement has been accepted and submitted for their consideration and for their signatures; so that the Senator, I submit, will know as the proceedings go on from day to day just what is being done and what terms are being reached. So the conference and the proceedings proper are in the open. There is no secret agreement or term secretly agreed upon. We are advised when anything is agreed upon. If the Senator will pardon me with reference to another matter to which he referred, we have nothing to do with the agreements that were entered into between our allies when they were fighting with their backs to the wall against the most formidable foes that the world had ever seen. I do not know that it lies within our mouths to criticize England and France and Japan for any agreements which they made touching their relationship, and which brought them together in order to resist the great force that threatened their destruction.

Mr. BORAH. The Senator is digressing. The Senator from Idaho has not criticized Great Britain or Japan. It is none of

the business of the Senator from Idaho as to what Japan or Great Britain do. I am perfectly willing that, if they see fit, they may have their secret agreements and secret arrangements, and it is not my purpose to criticize it. I am contending that so far as we are concerned we are entitled to all the facts that make up the different steps in the program. We are entitled to them as the program proceeds. Public opinion is entitled to the benefit of the facts as it is concluding itself. It is no satisfaction for a people to know what a treaty is after all the different powers have agreed to it, and they thereby practically, if not technically, are bound by it. If the treaty should be agreed upon and brought out of secret and published, and it has been signed by all the different powers, the tremendous pressure which would be brought to bear to ratify it by reason of the fact that it had been agreed upon would be such that it would be impossible to overcome it.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. BORAH. Yes.

Mr. KING. In order to make my position clear, may I propound a question to the Senator in the shape of a concrete illustration which the news this morning presents for consideration?

It is reported that some of the allied governments feel that the German colonies should be divided amongst them, and that they should have the power to govern and control them without reference to any league of nations that may be entered into. As I understand the press dispatches, it is the contention of President Wilson and others that the legal title—if I may be permitted that expression—of these colonies should vest in the league of nations, and the equitable title should vest in the various nations which might be constituted under the league-of-nations trustees, and given the power of administration.

Suppose that Mr. Wilson and others who share the views which it is reported he entertains should contend and argue with the various representatives in their hotels, in their meeting places or wherever opportunity afforded, trying to secure the acceptance of the views which he suggests, and, after a multitude of conferences and casual conversations and accidental meetings at which conversations occur, President Wilson should so impress his views upon the allied nations that they accepted them, and it was then in open conference stated that the allied nations had receded from the position which they formerly had taken, and were willing to accept the views suggested by President Wilson, and pursuant to that understanding a provision was prepared embodying the proposition that the league of nations should accept the trusteeship of Germany's colonies, and one of the allied nations was designated to administer them: Does not the Senator think that that would be open negotiation and open covenants openly arrived at?

Mr. BORAH. No; I do not; neither does the Senator from Utah.

Mr. KING. Yes; I submit that I do.

Mr. BORAH. No. The thing that the Senator from Utah is doing now is emasculating the first point of the 14 principles without saying so. Now, there is no misunderstanding of this language. If the Senator from Utah and his friends are ready to abandon it, to renounce it, that is one thing, and there may be a good reason for doing it—that is, a reason satisfactory to those who are in favor of doing it. But it will not do, Mr. President, to contend that the statement which has been made by the Senator is in compliance with the principle which President Wilson has stated has been recognized and adopted by the different nations of the earth as a fundamental basis upon which to proceed to the realization of a permanent peace.

I do not care anything about a private conversation which takes place in a hotel or incidental gathering or anything of that kind. I am not speaking of that at all. I am speaking of those conversations or those proceedings which take place when as delegates they are congregated together, and met as delegates and acting as delegates, the same as when we are here in the Senate acting as the Senate. I do not ask, in the matter of publicity, that the private conversations of the cloakroom be made a part of the publicity or the public proceedings of the Senate; but when we are here gathered as a Senate, dealing with the people's affairs, everything that we do should be known to them; and it is the same way with the peace conference. When they sit as a peace conference, as a body disposing of nations and of territories, and placing obligations upon people which may lead to tremendous consequences and great sacrifices, those things should be unmistakably in the open.

Now, I ask the Senator in return a question. Does he think that "open covenants of peace, openly arrived at," permits of arriving at those covenants in secret meetings?



Mr. KING. Mr. President—

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. KING. Replying to the interrogation of the Senator, I do not place the narrow and illiberal—and I do not use the words in any offensive sense at all—meaning or interpretation upon the words which the question and the former very able argument of the Senator would imply. I do not think that in order to reach covenants in an open way, every meeting that may be held by the delegates who may participate in the discussion should be or must be in the open. We legislate here, and many of the discussions of the committees relative to measures are in executive session, are not open. I understand that "open covenants, openly arrived at," means that the public, the nations involved, shall be advised as to those agreements before they shall become binding, before they shall be incorporated into a treaty of peace for the signature of the powers who participate in negotiating them.

Mr. BORAH. Mr. President, the Senator from Utah was of opinion a few minutes ago that I was indulging in a criticism of the delegation. If I understand the press reports correctly, or the attitude which the President has taken from the beginning, I am not in conflict with the President's views as to what should be done, or as to how it should be done. When they undertook to close the doors, and did close the doors, upon that conference, we were advised by the public press throughout the country that it was over the protest of the President; that it was not in compliance with his interpretation of the first of the 14 points, and we were further advised that from time to time he would keep up the controversy for open sessions until they were forced, and the people were given what he had promised them. I do not regard myself as in conflict with the President at all. I suppose, if the press be correct, that I am in perfect harmony with what he would like to see. I will venture to say that if we are to take the President's interpretation of this, as I understand it, the President of the United States has no conference upon this subject that he is not willing for the public to have.

Mr. LEWIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. LEWIS. Would the Senator from Idaho permit me to intrude upon him to the point of asking what is the particular thing to which he now addresses his protest? I was out of the Chamber, and am very much interested to know what is the particular thing against which he is protesting.

Mr. BORAH. I read from Mr. Oulahan's article in the New York Times this morning that Gen. Smuts and Col. House to-day at a private meeting had come to a virtual agreement on the troublesome questions involved in the insistence of Japan, Australia, and New Zealand that the conference confirm the secret understanding reached between Great Britain and Japan for disposition of the captured German colonies. It was that subject matter which I was discussing.

Mr. LEWIS. I thank the Senator for the information.

Mr. BORAH. Now, Mr. President, as the Senate knows, immediately after the President announced his policy of "open covenants of peace, openly arrived at," I expressed myself here upon the floor of the Senate as thoroughly in accord with that view, and I am so constituted that when I am once settled in my conviction that a principle is correct, it is difficult for me to modify my position, and I have not modified my views in the slightest. I think secret diplomacy is the nesting process by which the germs of war are retained in the social system from decade to decade and from century to century, and that the Senate of the United States, and the Congress, and the people of the United States, understood the President to be denouncing that system when he announced the first point of the 14 principles.

While I may differ with him, as I do with reference to the league of nations, I do not differ with him at all upon the first proposition, and I support him in it just as earnestly as I would oppose him if I thought he were incorrect in principle. The fact that he is the Democratic President cuts no figure with me whatever. In this proposition of open diplomacy he is representing a principle indispensable to the peace and security of the great mass of the people of the world. I therefore support him, as I have always done when I agree with him.

I repeat, as I said before the Senator from Illinois [Mr. LEWIS] came in, if the President is finally compelled to yield upon the first point of the 14 points, the other 13 will be whittled away in secret arrangements and agreements which they

will finally consummate. A league of nations with an army at its command, with the infamous principle of secret diplomacy embodied in its very nature—could the human mind conceive of a more arbitrary and infamous institution among men? And yet a league of nations, with absolute open diplomacy, might be made a tolerable proposition.

Mr. KELLOGG. Mr. President—

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I yield.

Mr. KELLOGG. I have not heard the entire discussion of the subject, but does not the Senator think that one of the worst aspects of this case is any proposition emanating from any authority for this country to enter into a partnership to control African colonies and operate them?

Mr. BORAH. Of course, I was coming to the particular step now taken, which, as I understand, contemplates the conference coming to this kind of an understanding, that the colonies will be transferred as to their legal title, as has been said here, to the league of nations, and then that the league of nations will select the particular member of the league of nations which is to oversee and to dominate or control or be responsible for a particular colony or a particular class of colonies. I wish that I had a copy of the last Round Table, published in England, in which there is to be found a very illuminating article. In that article they have already proceeded to segregate and separate the different colonies and to distribute them among the different nations for watching, and so forth. We have assigned to us Mesopotamia and some of the countries in that region, and we are particularly assigned Russia. The article goes on to say that the United States is in a better position to deal with the Russian situation—to bring order out of chaos—and to establish a sane and stable government than any other member of the league, and therefore, while we are to have a certain number of German colonies, we are to have thrown in, as a side diversion, the task of establishing order and sane government in Russia.

Those who heard upon yesterday the able address of the Senator from California [Mr. JOHNSON] will realize something of the task which has been assigned to the United States. What we are doing now in Russia would be what our boys might be called upon to do in Africa or Mesopotamia if it so happened that under this league of nations in the assignments we were assigned to the possessions which Germany now has in Africa and other parts. It is a matter of vital concern. So far as I am concerned, I agree thoroughly with the statement of the Senator from California yesterday that we should come home and attend to the affairs that vitally concern us here. I am utterly opposed to policing Russia, or policing Africa, or taking over under our control any part of the German colonies.

I want to read from a statement by the prime minister of Australia. Hon. W. A. Watt, acting prime minister, says:

The question of the disposal of Germany's former overseas dominions is now under consideration at the allied peace conference. I wish to state plainly the attitude adopted by the Government of the Commonwealth in respect to the Pacific Islands.

Shortly after the conclusion of the armistice both houses of the Federal Parliament unanimously carried a resolution "that the senate and the house of representatives of the Commonwealth of Australia declare it is essential to the future safety and welfare of Australia that the captured German possessions in the Pacific occupied by Australian and New Zealand troops should not under any circumstances be restored to Germany, and that in the consideration and determination of proposals affecting the destination of those islands Australia should be consulted."

The time for consultation having arrived, the Government should make its views plain. It is the desire and hope of the Australian Government that the islands of the Pacific formerly held by Germany and now occupied by Australian and New Zealand forces should for the future be controlled either by Great Britain or Australia and New Zealand.

In expressing this desire we are not influenced by an ambition to extend our territory, but feel that this free, young nation must safeguard itself against molestation. The only form of insurance which is open to us is government under the British flag, as the Commonwealth already governs a substantial area in Oceania adjacent to the late German possessions of New Guinea and Bismarck Archipelago.

We feel that success has attended our development of these islands. [Parts of New Guinea and the Bismarck Archipelago have been under the administration of an Australian governor general for four years.]

We must appeal to the nations who have to judge our claims. We do not seek to exploit the natives, but to develop the productive and industrial possibilities of these possessions for the future good of the present inhabitants as well as the safety of this island continent.

Many evidences have been tendered to the Government that this is practically the unanimous view of the people of Australia. I can only express the hope that the presentation of our case by Prime Minister Hughes will so influence the statesmen of the allied countries that Australia's position will be safeguarded.

Mr. President, Australia has her Monroe doctrine. She has here outlined it in this brief interview to the conference at Versailles. If we as a Nation, by reason of our membership of a league of nations, interfere with the Monroe doctrine of



Australia or the Monroe doctrine of Japan, as it has been established by our consent, or the Monroe doctrine of some other nation looking to the preservation of its integrity, how long will it be after we have entered upon that program, if we are successful, before they interfere with the Monroe doctrine of the United States?

So I am not only opposed to the manner in which these agreements are being made, the methods by which these understandings are being arrived at, but I am opposed to the United States assuming any obligation to control or govern or be responsible for any part of the German possessions. I am opposed to any scheme or plan which will keep our soldiers in Europe an hour longer than necessary to clean up this particular war with Germany.

#### LIGNITE COALS AND PEAT—CONFERENCE REPORT.

Mr. HENDERSON. I ask the Senator from Alabama [Mr. BANKHEAD], who has charge of the pending appropriation bill, to allow it to be temporarily laid aside while I present a conference report upon Senate bill 3220.

Mr. BANKHEAD. I will consent, provided it does not provoke discussion.

The PRESIDING OFFICER (Mr. McKellar in the chair). The appropriation bill will not have to be temporarily laid aside, but the Senator from Nevada asks unanimous consent to take up the conference report. Is there objection?

Mr. SMOOT. I should like to know what the conference report is.

The PRESIDING OFFICER. The bill will be read by title.

The SECRETARY. A bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

The Senate, by unanimous consent, proceeded to consider the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

CHARLES B. HENDERSON,

T. J. WALSH,

MILES POINDEXTER,

*Managers on the part of the Senate.*

M. D. FOSTER,

OTIS WINGO,

E. E. DENISON,

*Managers on the part of the House.*

Mr. HENDERSON. I will state in just a word what the report is. The bill passed the Senate some months ago, last fall, and it included lignite and peat, with an appropriation of \$150,000. The House struck out peat and reduced the appropriation from \$150,000 to \$100,000. We have accepted the House amendment reducing the appropriation and they have accepted our bill leaving peat in, the two to be investigated with the appropriation of \$100,000 instead of \$150,000.

Mr. SMOOT. The other \$50,000 is to be appropriated later.

Mr. HENDERSON. Probably not. I do not know anything about that. It is not appropriated in this bill.

Mr. SMOOT. I can assure the Senator that it will be appropriated.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### PUBLIC BUILDING AT YONKERS, N. Y.

Mr. REED. I ask the chairman of the Committee on Post Offices and Post Roads to yield to me that I may submit a report from the Committee on Public Buildings and Grounds.

Mr. BANKHEAD. I will yield for that purpose.

Mr. REED. The Committee on Public Buildings and Grounds have had under consideration a bill that affects the post-office site at Yonkers, N. Y. There are some reasons why it ought to be acted upon at this time. On behalf of the committee, I re-

port back favorably without amendment the bill (H. R. 8828) increasing the limit of cost for the acquisition of a public building at Yonkers, N. Y., and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

*Be it enacted, etc.,* That the existing legislation authorizing the acquisition of a public building site at Yonkers, N. Y., at a limit of cost of \$250,000, be, and the same is hereby, amended so as to fix a limit of cost of \$338,500 for the said site, and the appropriations heretofore made under separate limits of cost are hereby made available for the acquisition of said site within the limit of cost hereby prescribed.

Sec. 2. That the Secretary of the Treasury is hereby authorized, in his discretion, when said site shall have been acquired, to sell to the city of Yonkers, N. Y., for such price, at such time, and upon such terms as he may deem for the best interests of the United States, such portions of said site fronting on Buena Vista Avenue and Market Place as he may deem it advisable to spare for the purpose of widening the abutting streets, to convey said land to the city by the usual quitclaim deed, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### POST-OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Post Offices and Post Roads was, under the subhead "Office of the Postmaster General," on page 2, line 6, before the word "each," to strike out "\$3,000" and insert "\$3,275"; in line 7, before the word "each," to strike out "\$2,400" and insert "\$2,625"; in line 8, before the word "each," to strike out "\$2,250" and insert "\$2,450"; in line 13, after the words "in all," to insert "including increases hereinafter provided"; and in the same line, after the word "provided," to strike out "\$783,700" and insert "\$878,000," so as to make the clause read:

For salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at \$3,275 each; 30 inspectors, at \$2,625 each; 20 inspectors, at \$2,450 each; 32 inspectors, at \$2,100 each; 20 inspectors, at \$2,000 each; 30 inspectors, at \$1,900 each; 30 inspectors, at \$1,800 each; 60 inspectors, at \$1,700 each; 60 inspectors, at \$1,600 each; and 65 inspectors, at \$1,500 each; in all, including increases hereinafter provided, \$878,000.

The amendment was agreed to.

The next amendment was, on page 3, line 6, after the words "in all," to insert "including increases hereinafter provided," and in line 7, after the word "provided," to strike out "\$134,000" and insert "\$151,500," so as to make the clause read:

For compensation to clerks at division headquarters, 15, at \$1,800 each; 15, at \$1,600 each; 20, at \$1,400 each; 30, at \$1,200 each; 10, at \$1,000 each; and 10, at \$900 each; in all, including increases hereinafter provided, \$151,500.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster General," on page 4, in line 18, after the word "postmasters," to strike out "\$35,000,000" and insert "\$36,500,000," so as to make the clause read:

For compensation to postmasters, \$36,500,000: *Provided*, That the Postmaster General is hereby authorized to readjust the salaries of postmasters at offices of the first, second, and third class, effective July 1, 1919, in accordance with the law in effect prior to the war: *And provided further*, That in making such adjustment no allowance shall be made for the revenue derived from increased rates on first-class mail.

The amendment was agreed to.

The next amendment was, on page 5, line 3, before the word "at," to strike out "50" and insert "60"; in the same line, before the word "each," to strike out "\$3,000" and insert "\$3,250"; in line 4, before the word "each," to strike out "\$2,500" and insert "\$2,700"; in line 15, after the words "in all," to insert "including increases hereinafter provided"; and in line 16, after the word "provided," to strike out "\$3,680,000" and insert "\$4,281,500," so as to make the clause read:

For compensation to assistant postmasters at first and second class offices, 5 at not exceeding \$4,000 each; 60 at not exceeding \$3,250 each; 10 at not exceeding \$2,700 each; 10 at not exceeding \$2,000 each; 15 at not exceeding \$1,900 each; 50 at not exceeding \$1,800 each; 100 at not exceeding \$1,700 each; 200 at not exceeding \$1,600 each; 215 at not exceeding \$1,500 each; 175 at not exceeding \$1,400 each; 360 at not exceeding \$1,300 each; 600 at not exceeding \$1,200 each; 550 at not exceeding \$1,100 each; 350 at not exceeding \$1,000 each; 100 at not exceeding \$900 each; 70 at not exceeding \$800 each; in all, including increases hereinafter provided, \$4,281,500.

The amendment was agreed to.

The next amendment was, on page 5, line 24, before the word "each," to strike out "\$3,200" and insert "\$3,500," so as to make the clause read:



Superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 10 at not exceeding \$3,500 each.

The amendment was agreed to.

The next amendment was, on page 6, line 2, before the word "each," to strike out "\$3,000" and insert "\$3,275," so as to make the clause read:

Auditors and superintendents of mails, 15 at not exceeding \$3,275 each.

The amendment was agreed to.

The next amendment was, on page 6, line 5, before the word "each," to strike out "\$2,700" and insert "\$2,950," so as to make the clause read:

Assistant superintendents of mails, superintendents of delivery, and superintendents of mails, 25 at not exceeding \$2,950 each.

The amendment was agreed to.

The next amendment was, on page 6, line 8, before the word "each," to strike out "\$2,600" and insert "\$2,850," so as to make the clause read:

Assistant superintendents of mails, cashiers, superintendents of delivery, and superintendents of mails, 35 at not exceeding \$2,850 each.

The amendment was agreed to.

The next amendment was, on page 6, line 12, before the word "each," to strike out "\$2,500" and insert "\$2,725," so as to make the clause read:

Assistant superintendents of mails, cashiers, superintendents of delivery, superintendents of mails, and superintendents of stations, 40 at not exceeding \$2,725 each.

The amendment was agreed to.

The next amendment was, on page 6, line 19, before the word "each," to strike out "\$2,400" and insert "\$2,625," so as to make the clause read:

Assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, bookkeepers, cashiers, finance clerks, stenographers, superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 65 at not exceeding \$2,625 each.

The amendment was agreed to.

The next amendment was, on page 10, line 24, after the words "in all," to insert "including increases hereinafter provided," and in line 25, after the word "provided," to strike out "\$55,000,000" and insert "\$67,200,000," so as to make the clause read:

Substitutes for clerks and employees absent without pay: *Provided*, That there may also be employed at first-class post offices foremen and stenographers at a salary of \$1,300 or more per annum; in all, including increases hereinafter provided, \$67,200,000.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

And to provide for the promotion of 85 per cent of the clerks in first-class post offices from the fifth to the sixth grade; and for the promotion of 15 per cent of the clerks in the sixth grade to the designation of "special clerk" in the \$1,300 grade; and for the promotion of 15 per cent of the designated "special clerks" in the \$1,300 grade to the designation of "special clerk" in the \$1,400 grade; and to provide for the promotion of 85 per cent of the clerks in second-class offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the clerks in second-class post offices from the fifth to the sixth grade: *And provided further*, That there may also be employed at first-class post offices foremen and stenographers at a salary of \$1,300 or more per annum; in all, \$55,000,000.

The amendment was agreed to.

The next amendment was, on page 11, in line 19, after the word "act," to strike out "and also the act of March 2, 1907, classifying clerks and city letter carriers in first and second class post offices"; in line 23, after the word "That," to strike out "thereafter" and insert "hereafter"; and on page 12, in line 2, after the word "whenever," insert "practicable," so as to make the proviso read:

*Provided*, That hereafter the appointment and assignment of clerks hereunder shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated; and to enable the Postmaster General to carry out the provisions of this act he may hereafter exceed the number of clerks appropriated for for particular grades: *Provided further*, That hereafter the 15 days' annual vacation allowed by law to clerks and other employees in first and second class offices shall be credited at the rate of one and one-quarter days for each month of actual service: *Provided further*, That hereafter whenever practicable in case of emergency or otherwise a substitute is available the postmaster is prohibited from employing a regular clerk overtime: *Provided*, That the number of clerks in the aggregate as herein authorized be not exceeded.

The amendment was agreed to.

The next amendment was, on page 12, line 9, after the words "in all," to insert "including increases hereinafter provided," and in line 10, after the word "provided," to strike out "\$61,800" and insert "\$71,100," so as to make the clause read:

For compensation to printers, mechanics, and skilled laborers, 22, at \$1,200 each; 4, at \$1,100 each; and 31, at \$1,000 each; in all, including increases hereinafter provided, \$71,100.

The amendment was agreed to.

The next amendment was, on page 12, line 13, after the words "in all," to insert "including increases hereinafter provided," and in line 14, after the word "provided," to strike out "\$1,912,500" and insert "\$2,200,000," so as to make the clause read:

For compensation to watchmen, messengers, and laborers, 2,125, at \$900 each; in all, including increases hereinafter provided, \$2,200,000.

The amendment was agreed to.

The next amendment was, on page 12, line 20, after the words "post offices," to strike out "\$6,500,000" and insert "\$5,000,000," so as to make the clause read:

For temporary and auxiliary clerk hire and for substitute clerk hire for clerks and employees absent with pay at first and second class post offices and temporary and auxiliary clerk hire at summer and winter resort post offices, \$5,000,000.

The amendment was agreed to.

The next amendment was, on page 13, line 21, after the words "City Delivery Service," to insert "including increases hereinafter provided"; in line 22, after the word "provided," to strike out "\$41,000,000" and insert "\$50,500,000"; in the same line, after the word "Provided," to strike out:

That hereafter all days set aside by the President of the United States as holidays to be observed by other departments of the Government throughout the United States shall be construed as holidays within the meaning and intent of the postal holiday laws, and postal employees performing service on such holidays shall be granted either compensatory time off or pay for overtime.

And insert:

That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, making appropriations for the Postal Service for the fiscal year ending June 30, 1917, set aside by the President of the United States as holidays to be observed by the other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments.

So as to make the clause read:

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, City Delivery Service, including increases hereinafter provided, \$50,500,000: *Provided*, That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, etc.

Mr. TOWNSEND. I wish to call the attention of the chairman of the committee to line 11, on page 14. It seems to me that the word "other" should be inserted before "executive," so as to read "and to the same extent as the other executive departments."

Mr. BANKHEAD. I think that word ought to be inserted.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 14, line 17, after the word "year," to insert "including increases hereinafter provided," and in line 18, after the word "provided," to strike out "\$74,000" and insert "\$94,000," so as to make the clause read:

For pay of letter carriers, substitute and auxiliary letter carriers at offices where City Delivery Service is established during the year, including increases hereinafter provided, \$94,000.

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the words "Provided further," to strike out:

That not to exceed \$60,000 of the amount herein appropriated shall be immediately available for the erection and equipment of a garage on the site owned by the Government in the rear of the main post-office building in the District of Columbia—

And insert:

That the Postmaster General is authorized, in his discretion, to contract for pneumatic mail tube service in the cities of New York, N. Y., and Brooklyn, N. Y., or for any portion in such cities, upon such terms as may be agreed upon, the cost therefor to be paid out of any unexpended balance of any appropriation for the Postal Service: *Provided further*, That the properties and equipment of the pneumatic mail tube service located within the basements and subbasements of post-office buildings in the cities of Philadelphia, Pa., Boston, Mass., New York, N. Y., Brooklyn, N. Y., Chicago, Ill., and St. Louis, Mo., be not removed pending further action by Congress, but without expense to the Government.

So as to make the clause read:

For vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for and the operation of screen-wagon and city delivery and collection services, \$9,750,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned automobiles at a reasonable annual rental for a term not exceeding 10 years: *Provided further*, That the Postmaster General is authorized, in his discretion, to contract for pneumatic mail tube service in the cities of New York, N. Y., and Brooklyn, N. Y., etc.

The amendment was agreed to.

The next amendment was, under the subhead, "Office of the Second Assistant Postmaster General," on page 16, in line 13, after "\$1,185,000," to insert:

*Provided*, That hereafter the compensation for the carrier of mail on Lake Winnepesaukee from the post office at Laconia, N. H., who furnishes his own equipment shall be \$1,800 per annum.

So as to make the clause read:

For inland transportation by steamboat or other power-boat routes, \$1,185,000: *Provided*, That hereafter the compensation for the carrier of mail on Lake Winnebago from the post office at Laconia, N. H., who furnishes his own equipment shall be \$1,800 per annum.

The amendment was agreed to.

The next amendment was, on page 16, line 22, after the words "*Provided further*," to strike out:

That out of this appropriation the Postmaster General is authorized to expend not exceeding \$300,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined. That the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable. And articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Havilland four aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors, and 20 Hispano-Suiza engines with 150-horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service, and that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by the Secretary of War, but such machines shall be operated and maintained by the personnel of the Air Service of the Army, under the control and direction of the Postmaster General.

And to insert:

That out of this appropriation the Postmaster General is authorized to expend not exceeding \$850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service.

So as to make the clause read:

For inland transportation by railroad routes and aeroplanes, \$59,625,000: *Provided*, That not to exceed \$1,000,000 may be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding \$850,500 for the purchase of aeroplanes, etc.

Mr. JONES of Washington. I ask that this amendment may go over until to-morrow.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent that the amendment may go over until to-morrow. Is there objection? The Chair hears none, and the Secretary will proceed with the reading.

Mr. NEW. I wish to offer an amendment to the amendment of the committee, but if it is to go over until to-morrow I shall withhold it until that time.

Mr. CUMMINS. It is understood that the amendment will go over until to-morrow?

The PRESIDING OFFICER. It has gone over until to-morrow.

Mr. BANKHEAD. I did not understand that it was to go over until to-morrow.

The PRESIDING OFFICER. The Chair so announced.

Mr. BANKHEAD. If we should be able to come back to it this afternoon, I would like to do so.

Mr. JONES of Washington. I would like to have it go over until to-morrow, because I did not expect the amendment to come up this afternoon, and I want to try to get an amendment drawn to cover the proposition.

Mr. BANKHEAD. All right, then; let it go over until to-morrow.

The PRESIDING OFFICER. The Chair understood that to be the request of the Senator from Washington. The amendment will go over until to-morrow.

The next amendment was, on page 20, line 2, before the word "each," to strike out "\$3,250" and insert "\$3,550"; in line 3, before the word "each," to strike out "\$2,350" and insert "\$2,550"; in line 4, before the word "each," to strike out "\$2,250" and insert "\$2,450"; in line 19, after the words "in all," to insert "including increases hereinafter provided"; and in line 20, after the word "provided," to strike out "\$28,385,500" and insert "\$33,904,000," so as to make the clause read:

Railway Mail Service: For 15 division superintendents, at \$3,550 each; 2 assistant superintendents, at \$2,550 each; 15 assistant division superintendents, at \$2,450 each; 115 chief clerks, at not exceeding \$2,100 each; 432 clerks, grade 10, at not exceeding \$1,800 each; 1,922 clerks, grade nine, at not exceeding \$1,700 each; 375 clerks, grade 8, at not exceeding \$1,600 each; 7,703 clerks, grade 7, at not exceeding \$1,500 each; 952 clerks, grade 6, at not exceeding \$1,400 each; 1,737 clerks, grade 5, at not exceeding \$1,300 each; 2,721 clerks, grade 4, at not exceeding \$1,200 each; 60 clerks, grade 3, at not exceeding \$1,100 each; 4,066 clerks, grade 2, at not exceeding \$1,000 each; 1,164 clerks, grade 1, at not exceeding \$900 each; in all, including increases hereinafter provided, \$33,904,000: *Provided*, That railway and substitute railway postal clerks shall be credited with full time when deadheading under orders of the department, and the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and, to enable the Postmaster General to reclassify the salaries of railway postal clerks and make necessary appointments and promotions, he may exceed the number of clerks in such of the grades as may be necessary: *Provided*, That the number of regular clerks in the aggregate as herein authorized be not exceeded.

The amendment was agreed to.

The next amendment was, on page 21, in line 8, after the word "clerks," to strike out "\$1,613,959" and insert:

\$2,689,931: *Provided*, That the act of August 24, 1912 (37th Stats., p. 548), amended by the act approved March 3, 1917, be further amended to read as follows:

"That hereafter, in addition to the salaries provided by law, the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post office cars, while on duty, after 10 hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$2 per day."

So as to make the clause read:

For travel allowances to railway postal clerks and substitute railway postal clerks, \$2,689,931: *Provided*, That the act of August 24, 1912 (37th Stats., p. 548), amended by the act approved March 3, 1917, be further amended to read as follows.

And so forth.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Fourth Assistant Postmaster General," on page 25, in line 16, after the word "devices," to strike out "\$420,000" and insert "\$560,000," so as to make the clause read:

For wrapping twine and tying devices, \$560,000.

The amendment was agreed to.

The next amendment was, on page 27, in line 17, after the words "District of Columbia," to strike out "\$2,435,000" and insert "\$1,500,000," so as to make the clause read:

For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; also material, machinery, and tools necessary for the manufacture and repair in the equipment shops at Washington, D. C., of such other equipment for the Postal Service as may be deemed expedient; for compensation to labor employed in the equipment shops at Washington, D. C., \$1,500,000.

The amendment was agreed to.

The next amendment was, on page 28, in line 7, after the word "thereof," to strike out "\$55,445,000" and insert "\$68,800,000," so as to make the clause read:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, \$68,800,000.

The amendment was agreed to.

Mr. BANKHEAD. At this point I submit the amendment I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. Strike out the period and insert a semicolon at the end of line 7, page 28, and add the following:



*Provided*, That hereafter rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive \$24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive \$12 per mile per annum for each mile of said routes in excess of 24 miles or major fraction thereof, based on actual mileage: *Provided further*, That hereafter the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding \$2,250 per annum.

Mr. SMOOT and Mr. WADSWORTH addressed the Chair. The PRESIDING OFFICER. The Senator from Utah.

Mr. SMOOT. I will yield to the Senator from New York.

Mr. WADSWORTH. I was going to make some inquiry as to what this amendment would actually result in.

Mr. SMOOT. That was the object for which I rose.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I will yield the floor and let the Senator from New York make the inquiry.

Mr. WADSWORTH. I make that inquiry.

Mr. BANKHEAD. What is the inquiry?

Mr. WADSWORTH. I desire to have an explanation of the amendment, as to what it will result in, how many men are to be affected, and what its cost will be.

Mr. BANKHEAD. Does the Senator have reference to the automobile routes?

Mr. WADSWORTH. No; to the horse-drawn vehicle rural routes.

Mr. BANKHEAD. This amendment simply restores the language of the last bill; that is all it does. It was omitted in the print of the bill with reference to the payment of routes of 24 miles and additional service of 24 miles, and we have simply restored it. The last amendment has reference to the automobile routes over 50 miles in length. It is the language of the last bill, except it does make an increase of 5 per cent, which was given to the other carriers.

Mr. SMOOT. Then, the \$13,000,000 increase asked for, or, to be accurate, \$13,355,000 increase, is necessary on account of the amendment which has just been presented by the Senator from Alabama?

Mr. BANKHEAD. No; this amendment does not increase the appropriation at all.

Mr. SMOOT. I notice it is for the pay of rural carriers and that the amount appropriated by the House was \$55,445,000, which is increased to \$68,800,000.

Mr. BANKHEAD. Mr. President, those increases are all due to section 2, which includes a great many increases. For instance, that section increases the pay of the city clerks at first and second class post offices and the city carriers. That amendment was inserted in the other House. I do not think it ought to have gone in; but it did. It is the House proposition, and the increase in these figures simply indicates the amount which ought to have been put into the bill; but the House left it for the Senate to work out.

Mr. SMOOT. I really do not yet understand from what the Senator has said of what this increase really consists. It is—

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof.

For those purposes the House provided an appropriation of \$55,445,000.

Mr. BANKHEAD. Will the Senator from Utah let me explain that right here?

Mr. SMOOT. Yes.

Mr. BANKHEAD. The figures inserted in the bill by the other House were for the pay of rural carriers on the basic law; but last year they were given a 20 per cent increase. The House, however, did not include that in this bill at all.

Mr. SMOOT. There is included a little over \$2,000,000 more than the 20 per cent increase in the House.

Mr. BANKHEAD. We only increased it this year 5 per cent over what it was last year. We did that because the House had increased the pay of city carriers and clerks in first and second class post offices by \$200, I think is the amount.

Mr. SMOOT. Then I understand that this covers—

Mr. BANKHEAD. If the Senator from Utah will turn to section 2 of the bill he will there find the basis of this increase of which he desires an explanation. Section 2 is on page 29.

Mr. SMOOT. Mr. President, it would take too much of the time of the Senate to read section 2 and figure out just exactly what it means; but I will take the statement of the Senator from Alabama for granted, and shall not detain the Senate any longer on the matter.

Mr. BANKHEAD. I am quite sure I have stated it correctly.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Alabama.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 28, in line 9, after the words "third class," to strike out "and in communities adjacent to cities having city delivery, \$1,250,000" and insert "\$720,000," so as to make the clause read:

For village delivery service in towns and villages having post offices of the second or third class, \$720,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 10, to strike out:

For experimental motor vehicle truck service in such localities of the United States as the Postmaster General may select, the establishment and extension of such service, the purchase, manufacture, exchange, and repair of equipment, supervision and maintenance, and expenses incidental to conveyance and marketing of produce and commodities, \$1,000,000.

And insert:

That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe, and to defray the cost thereof the sum of \$300,000 is hereby appropriated:

*Provided*, That mail other than that of the fourth class shall not be dispatched on experimental motor vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination:

*Provided further*, That separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session.

Mr. McKELLAR. At the request of the present occupant of the chair [Mr. KING], I ask unanimous consent that this amendment may go over.

Mr. BANKHEAD. Very well; let it go over.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, in section 2, page 29, line 24, after the word "That," to strike out "on and after July 1, 1919," and insert "during the fiscal year ending June 30, 1920," so as to make the clause read:

SEC. 2. That during the fiscal year ending June 30, 1920, clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows:

Mr. McKELLAR. Mr. President, this amendment brings up the question of making the present salaries of the employees in the department permanent. This amendment makes them simply temporary. I want to say just a word about this matter.

I think that these salaries ought to be made permanent. We have recently passed a bill, and probably very properly so—I am not criticizing it in the least—increasing very largely the salaries of our Federal judges, the necessity for such increase being brought on by the conditions that exist as to all salaried men in this country. We have recently passed other large increase, and we have made those salaries permanent—much larger or quite as large in proportion as the salaries that are here asked to be made permanent. We have recently appropriated \$100,000,000 of our money for looking after people in Europe and for looking after the interests of the packing people over on this side of the water. Under these circumstances, it seems to me, it is as little as we can do to make this legislation permanent for these employees of the Government. I therefore hope that this amendment will not be agreed to.

I call attention to the fact that on page 32 virtually the same language is used, also on page 33, and again in the proviso from line 17 to line 26 on page 33 of the bill. I suppose every Senator knows the question at issue. It is merely a plain question of whether we are going to make these salaries permanent. The other House provided for making them permanent, and it seems to me the Senate ought to agree to that proposition in common justice to these employees of the Government. I hope the Senate committee amendment will not be agreed to.

Mr. BANKHEAD. Mr. President, I hope the desire of the Senator from Tennessee [Mr. McKELLAR] will not be acceded to. The condition in the Post Office Department—as it is in nearly every other department of the Government—is chaotic. We

have made the advances in these appropriations temporary; and we have inserted in the bill a provision to create a commission to investigate the whole question of salaries in the Post Office Department, to undertake to equalize them, and to put them all upon a fair and a just basis.

I do not think this amendment ought to be disturbed. I think the matter ought to go along. Let us agree to the creation of the commission which is provided for in the bill; let that commission take up the whole question of salaries in the Post Office Department, go over them all thoroughly in every branch of the Postal Service, and equalize them. Some of them may be higher than they ought to be, and some of them may be lower than they ought to be under the conditions. Nobody now, Mr. President, can tell what the conditions are going to be a year from now. It may be then absolutely necessary to reduce some of the salaries which we have now provided for under the existing extraordinary conditions. I say, leave that all to the commission, and let them work it out. I hope, therefore, the amendment proposed by the committee will not be disturbed.

Mr. SMOOT. Mr. President, I think the amendment reported by the committee is a very wise one for this reason: The increases which have been given to the employees in all of the other departments of the Government have been what may be termed temporary increases. Last year the increase was \$120. The basic rate of payment was not interfered with at all; but there was a temporary increase on account of the conditions existing. If the legislative appropriation bill this year becomes a law, I do not think it is out of the way for me to say that so far as the subcommittee of the Appropriations Committee have acted it is in favor of increasing the \$120 of last year to \$240 for this year. I have not any doubt the committee would absolutely refuse to consider an increase of all statutory rates of pay by \$240, to be hereafter paid, but it is left to Congress to decide what may be done under the conditions which may exist a year hence; whether the increase shall be \$120 or \$240 or \$360. That question is to be decided at that time. I see a provision is contained in this bill for the creation of a commission for the very purpose of examining into the whole question of salaries to be paid the employees of the Government.

As I said a year ago, Mr. President, there ought to be a commission appointed, and appointed quickly, to go into the question of the rearrangement of the salaries paid in every department of this Government. I assert that there are now some of the most glaring discriminations in the salaries paid in the different departments of our Government of which it is possible for the human mind to conceive. The quicker a commission is appointed to go into this question the better it will be. I do not mean merely to skim the question over or to make some report that a certain head of a certain division ought to receive an increase of salary because of the work that he may be doing at that particular time, but I mean that the investigation of such a commission ought to be so thorough that it would be acceptable to any man who made an examination of the matter; I might say that it should be just as thorough as if the Government of the United States were a great, big business concern, and the investigation was made upon business principles and not upon favoritism or upon political "pull."

Mr. BANKHEAD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. BANKHEAD. I desire to ask the Senator from Utah a question. I understood the Senator a while ago to say that the Appropriations Committee had increased certain salaries?

Mr. SMOOT. Statutory salaries; yes.

Mr. BANKHEAD. Temporarily?

Mr. SMOOT. Temporarily; for this year.

Mr. BANKHEAD. Has the committee not also provided for the appointment of a commission?

Mr. SMOOT. It will provide for it if the House conferees yield.

Mr. BANKHEAD. I mean that the Senator's committee is in favor of the appointment of a commission to adjust this whole matter, is it not?

Mr. SMOOT. Absolutely; and I am in favor of a commission in this case to adjust salaries in the Post Office Department. I think it would be a very wise thing to do, to have a commission created, if the House agrees to the Senate provision and the Senate agrees to the action taken by the subcommittee of the Appropriations Committee. Then, of course, such action would cover all of the other departments of the Government.

I know it is said that perhaps this ought not to be done at this particular time on account of the unusual conditions existing in the United States; but I have had enough experience in my service here in the Senate to know that if the commission were

appointed this year, before a thorough examination could be made—and unless it is a thorough one it will be of no value whatever—conditions more than likely will be normal; and this is the time that we want to know just what to do in order that equal and exact justice may be rendered to all of the employees of the Government. Therefore, Mr. President, I really think that the amendment of the committee is a very wise one, and I hope the Senate will agree to it.

Mr. THOMAS. Mr. President, I do not think it would be wise to legislate a permanent salary list, but for reasons somewhat different from that expressed by my associates. My objection is that, if we should do so, the permanency would end with the next fiscal year. The constant demand for increased salaries will find favorable response here just so long as there is any money in the Treasury to devote to that purpose, and to speak of a permanent salary list is to express a contradiction in terms; as a celebrated nurse in one of Dickens's novels said, "There ain't no such thing."

Mr. President, I am aware, and, of course, have been so ever since the war began, that the rise in the cost of living bears very hard upon the salaried elements of society. Their compensation being fixed and the price of all the necessities of life being in a state of constant upward progression, this class necessarily feels the consequences of the disarrangement more severely, and perhaps more generally, than any other class. The time was when the wage earner suffered similarly, but in these days of organization he has been able not only to take care of himself but to utilize the emergency by securing a large increase over and above the cost of living. Hence I sympathize very deeply with the demand of the salaried classes for additional compensation, notwithstanding the fact that the giving of it brings no relief whatever.

This bill provides for an increase aggregating \$12,500,000 over and above the amount provided in the bill of last year, which was in turn an increase over its predecessor, and that in turn contained increases over the bill which preceded it. I am not a prophet, and never pretended to be; indeed, it required no prophet at that time to predict that the relief sought for would prove in practice of no avail, and it did not.

Mr. President, you have probably noticed that every request for an increase of salary is backed by the enthusiastic approval of the press, by the commercial bodies, by the landlords, by the grocers, and by the dry-goods people. Why? Because they know that these increases will bring a profit to them and to nobody else. The Government clerk becomes merely a conduit through which the money of the United States passes from its Treasury to the purveyor. So it has been, so it is, and so it ever will be.

Mr. McKELLAR. Mr. President, may I interrupt the Senator?

Mr. THOMAS. Certainly.

Mr. McKELLAR. Assuming that that is the case, should that prevent us from giving to the clerk, through whom it is conveyed, a living wage?

Mr. THOMAS. Mr. President, if the Senator will only define what is a "living wage," I would be better able to answer his question.

Mr. McKELLAR. With the ordinary expenses that I have upon me I find that \$7,500 quickly disappears in this city, and I wonder how the clerks with such small salaries get along at all.

Mr. THOMAS. That is undoubtedly true; and if the Senator were receiving \$10,000 a year he would find himself in the same condition.

Mr. McKELLAR. On that theory, then, we had better cut all salaries down to nothing.

Mr. THOMAS. It would be just as logical and just as efficient. Why, Mr. President, the business of extorting money—perhaps I use too strong an expression—the business of securing money for the necessities of life from the salaried class has developed into an exact science.

Mr. McKELLAR. I am obliged to agree with the Senator about that.

Mr. THOMAS. The Senator, who gets \$7,500 a year, finds that it costs him at least that to live here. If he only got \$1,200, the purveyors would still accommodate him, or attempt to do so; but I have not a particle of doubt that if the Congress should seriously consider the propriety of advancing the salaries of its Members to \$10,000 every landlord, the proprietor of every department store, and the proprietor of every grocery store would hail it with great satisfaction; in fact, with unalloyed enthusiasm, because they would see an additional \$2,500 apiece for something over 425 Members of Congress for their annual incomes. I am in favor of fixing a living wage if it were possible, but it is not. No man can obtain a salary raise fast enough to catch up with, to say nothing about overtaking, those who fur-



nish the supplies of life. For that reason I have opposed the raising of these salaries, because the recipients of them are just as well off as they are after this money has been appropriated from the Treasury.

There is a way of meeting it, in my judgment. I think the Government should provide, even though it may result in a deficit or in added public expense, a rate for shelter by furnishing the shelter and a rate for the necessities of life by furnishing the necessities of life under a living wage, and then pay that wage. The Government would not lose anything like as much as it does under the prevailing system. Talk about a permanent wage scale! It is impossible.

This is a real need; I recognize that; but a year from now the need will be just as real, and we will have to give just as much more, because, to use an expression I once heard used by a prominent business man here, the slack will be taken up long before Congress makes another appropriation. So that the whole business, Mr. President, of increasing salaries consists of a losing race between the salary earner and the purveyor; and, of course, there is an added incentive to the purveyor to increase his prices, because he knows from experience that we will meet the increase by giving the employee a little more. He can deprive the wage earner or the receiver of the salary during the next fiscal year of the benefit of the increase.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. McKELLAR. The natural effect of the bill which we passed the other day appropriating \$100,000,000 to European sufferers is to keep up the price of meat nearly to the present standard. This was admitted by Senators upon this floor.

Mr. THOMAS. I think so; but the prices will stay up anyhow—certainly in the District of Columbia.

Mr. McKELLAR. That bill has the effect of increasing the price of meat. Having enacted that legislation, does the Senator think it would be unfair, looked at even from his standpoint, to give the very poorly paid Government clerks sufficient salary to enable them to get meat at the price to which we have seen fit to increase it?

Mr. THOMAS. The Senator can not reproach me for the \$100,000,000 legislation.

Mr. McKELLAR. I am delighted to know that I can not.

Mr. THOMAS. I did not vote for it, and if there is anything wrong in its enactment my conscience is clear.

Mr. McKELLAR. I am not reproaching the Senator for it; I remember his vote; but I was just asking how he makes his present reasoning jibe with that bill?

Mr. THOMAS. I do not want to leave that statement incomplete. Because of the exigency I would have voted for it if I had thought we had the constitutional power to enact it; but I can never understand why, if the Congress appropriates \$100,000,000 for one purpose, that is a justification, or even an excuse, for appropriating millions of dollars for some other purpose. I know that the precedents are established, and that in consequence of them we are multiplying our expenditures very rapidly, so that now we are making appropriations by millions upon millions, and the Almighty Himself can hardly predict what the total will be between now and the 4th of March.

Mr. McKELLAR. Mr. President, perhaps the Senator misunderstands my position. I will say that my proposition is that if by legislation we have kept up the price of meat—the meat which the Government clerks must have upon which to live—it is absolutely right that we should also place their salaries at such a rate that they can get meat occasionally.

Mr. THOMAS. The sum of \$100,000,000 is very large in the abstract, but it is relatively very small in the effect that it will have upon the price of commodities in this country; it is not a drop in the bucket, so to speak. Moreover, prices are sustained in these days not so much by the demand for the commodity as by the control of the product. I do not think that the purchase by the Government of \$100,000,000 worth of foodstuffs, which must be made in large part from those having control of them, will sensibly affect the current prices for these commodities. But whether that be true or not, I can perceive no argument whatever in the proposition that because large sums of money have been appropriated for one purpose, the indirect effect of that purpose will justify other large appropriations.

I might say to the Senator, to comfort him, that my opposition to this measure is the very surest way to make it effective, for I am not sensible yet of having ever opposed successfully an appropriation in the Senate of the United States, and I do not know that I ever shall. I will say very frankly that this appropriation has the merit of necessity behind it, my objection being that it will not accomplish the purpose that its advocates seem to think. If I thought it would, I would vote for it in a moment, but sad experience tells me that we are merely by these

indirect processes furnishing money to those who do not need any assistance from us.

We have expended a great deal of money here in the District in the building of public structures for the sheltering of employees of the Government. I do not know whether they are occupied yet or not. I think it is a good start in the proper direction; and if we will follow it up by provisioning these places and bringing the cost of livelihood down where it ought to be, we will not only by that means confer a boon upon the public officials, but we will also sensibly affect the price of the necessities of life to the residents of this District. That, however, is perhaps too obvious a method of proceeding to justify its successful consideration by the Congress.

This will go through; there is no doubt about it; but do not try to make it permanent, because it is simply a waste of time and a waste of breath. It will be as temporary as the bill itself, to be followed next year by appropriations of similar, if not greater, increases to meet the added cost of living; and the local press and the purveyors, as usual, will be behind that with all their energy and all their enthusiasm, shedding crocodile tears over the terrible condition of the poor wage earner, but having their claws extended in anticipation of the harvest that is to come to them when the bill becomes a law.

The PRESIDING OFFICER (Mr. SWANSON in the chair). The question is on the amendment of the committee.

The amendment was agreed to.

#### CARE OF SOLDIERS WHEN TRAVELING.

Mr. SUTHERLAND. Mr. President, I apologize for calling the attention of the Senate to a matter which is extraneous to the pending bill, but there seems to me to be no subject that is more worthy of our immediate consideration at any time than this.

I ask the Secretary to read from the desk a communication which I have received from the chairman of the Red Cross Chapter of Parkersburg, W. Va.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

WOOD COUNTY (W. VA.) CHAPTER,  
THE AMERICAN RED CROSS,  
Parkersburg, W. Va., January 28, 1919.

Hon. HOWARD SUTHERLAND,  
Washington, D. C.

DEAR SENATOR: At a conference of the chairman and other members of the canteen committee of our local chapter of the American Red Cross it was decided that I should most earnestly call attention to the proper authorities of the Government to the lack of care being given wounded soldiers transported via Parkersburg.

Complaints are made from time to time of lack of water, heat, and proper food on the trains. During this month the canteen here has furnished 5,150 men with some character of food and refreshment. There is a lack of system and uniformity with reference to the arrangements, and therefore a great deal of confusion exists, and the canteen is being called upon to bear expenses out of all proportion to the size of our chapter and the condition of our treasury.

We think that the Government should provide some character of service on hospital trains which would insure wounded soldiers having proper food and nourishment, without depending solely on canned food and canteen service. If the canteen, however, is expected to furnish meals and food in the amount which we are now doing, some provision should be made for compensation. It is true that occasionally officers reimburse the canteen, but there is no system or uniformity with regard to the matter.

We respectfully request information as to the policy and practice of the Government with reference to these matters, and in our particular case we would like to have telegraphic information in advance what character of food is desired, whether or not soldiers have equipment, and general instructions. We likewise feel that a train should be in charge of some one responsible officer or person. Our present experience is that at times Young Men's Christian Association men are seemingly in charge, and in one instance, particularly, our experience was extremely disagreeable. It is probable the Government has definite rules with reference to these matters, but if so they are not being carried out, and in very few instances has the canteen been reimbursed for any outlay which it has made.

Referring again to the cost which we are undergoing, our budget provides \$100 a month for canteen work, and it can be readily seen that to carry out the work as we are now being compelled to do is absolutely out of the question.

Very truly,

JOHN MARSHALL,  
Chairman Wood County Chapter,  
American Red Cross.

Mr. SUTHERLAND. Mr. President, it seems that soldiers are being transported to and fro over our railroad systems, particularly those now returning from Europe, many of them wounded soldiers, without adequate preparation being made en route for their care and feeding. It seems to me that this is a situation that should not exist. It seems to me that to require the communities through which these soldiers pass to provide for the food and care of these men as they pass through the several stations en route to their final destination is an injustice which this Government should not contemplate. We have appropriated, and are appropriating, large sums of money for the support of the War Department, and the virtual quartering of



these soldiers upon these communities in time of peace is an injustice which is not contemplated even by the Constitution, and which is practically prohibited. It is not exactly a quartering, but it is virtually a quartering upon the population of soldiers in time of peace.

It would seem to me that those in the War Department in charge of the transportation of those soldiers should adopt some policy by which advance information could be sent to those stations where they are to be stopped for feeding, so that proper food can be arranged for; and this service should be paid for by the Government rather than by the communities through which these soldiers pass. It is most deplorable that these hospital trains, carrying wounded men from the battle fields in France, should be found to be absolutely lacking in the essentials for the comfort of these wounded men.

I desire to call the attention of the Senate, and not only of the Senate but of the country at large, to this question, which is no doubt pressing upon many communities besides the one which is immediately complaining in this case; and I desire particularly to call the attention of the Quartermaster Department of the War Department to the necessity of better arrangements for sending these men to their destinations over our railroad systems.

#### WOMAN SUFFRAGE.

Mr. SHAFROTH. Mr. President, I have here a joint memorial of the Legislature of Colorado, which I ask to have read.

The PRESIDING OFFICER. The Secretary will read the memorial, in the absence of objection.

Mr. BANKHEAD. I object to the reading of the joint memorial at this time. I want to proceed with this bill and dispose of certain sections of it, and then I shall be perfectly willing to yield to the Senator.

Mr. SHAFROTH. It will take me but a minute to do it.

Mr. BANKHEAD. Will not the gentleman permit it to be printed in the Record?

Mr. SHAFROTH. I think it ought to be read.

The PRESIDING OFFICER. Does the Senator insist upon it now, or will he wait until later?

Mr. BANKHEAD. Mr. President, I am helpless. If I object to it going into the Record, the Senator will read it himself.

Mr. SHAFROTH. Certainly I can read it.

The PRESIDING OFFICER. The Secretary will read the memorial.

The Secretary read as follows:

(House joint resolution 2. By Mabel Ruth Baker.)

*Resolved by the house of representatives (the senate concurring):*

Whereas Colorado has long enjoyed the help and counsel of its women in all matters of citizenship, and has by these years of experience demonstrated the benefits to be derived by equal suffrage; and

Whereas there is now pending in the Senate of the United States a constitutional amendment providing for national woman suffrage: Therefore be it

*Resolved*, That we urge the United States Senate to take up and pass at the earliest possible date this constitutional amendment, in order that all the women of the Nation may have the right of suffrage, which they have so completely earned, and the Nation have the benefit of their citizenship; and be it further

*Resolved*, That we commend our United States Senators and Members of Congress for the work they have done in behalf of the Federal suffrage amendment, and urge them to continue their endeavors until success shall crown their efforts.

This is to certify that the above house joint resolution No. 2 was duly passed in both the Senate and House of Representatives of Colorado on January 3, 1919, by the following vote:

In the senate: Yeas, 31; nays, 1; absent or excused, 3.

In the house: Yeas, 65; nays, none; absent or excused, none.

Respectfully,

HARRY P. MASON,

Chief Clerk, House of Representatives.

Mr. SHAFROTH. Mr. President, I desire to call attention to the fact that the one vote given by a senator against the adoption of that joint resolution was cast by a man who stated that he had no objection to the joint resolution itself, but was opposed to voting upon any joint resolution memorializing Congress.

#### POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 31, line 6, after the word "to," to strike out "\$1,700" and insert "\$1,800," so as to make the clause read:

The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows: Class A, \$1,100 to \$1,500; class B, \$1,100 to \$1,600; class C, \$1,100 to \$1,800. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary and fix their salaries within the grades provided by law without regard to the classification of railway post offices.

The amendment was agreed to.

The next amendment was, on page 32, line 1, after the word "That," to strike out "on and after July 1, 1919," and insert "during the fiscal year ending June 30, 1920," so as to read:

*Provided further*, That during the fiscal year ending June 30, 1920, the compensation of each rural letter carrier for serving a rural route of 24 miles and over, six days in the week, shall be, etc.

The amendment was agreed to.

Mr. BANKHEAD. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 32, line 4, it is proposed to strike out the words "and over."

The amendment was agreed to.

The next amendment of the Committee on Post Offices and Post Roads was, on page 32, line 5, after the words "shall be," to strike out "\$1,440 and \$24 per mile for each mile or major fraction thereof over 24 miles per annum, payable monthly"; in line 8, after the word "miles," to strike out "\$1,382" and insert "\$1,440"; in line 9, after the words "miles," to strike out "\$1,296" and insert "\$1,350"; in line 10, after the word "miles," to strike out "\$1,152" and insert "\$1,200"; in line 11, after the word "miles," to strike out "\$1,008" and insert "\$1,050"; in line 12, after the word "miles," to strike out "\$864" and insert "\$900"; in line 13, after the word "miles," to strike out "\$806" and insert "\$840"; in line 14, after the word "miles," to strike out "\$748" and insert "\$780"; in line 15, after the word "miles," to strike out "\$691" and insert "\$720"; in line 16, after the word "miles," to strike out "\$633" and insert "\$660"; in line 17, after the word "miles," to strike out "\$576" and insert "\$600"; in line 23, after the word "That," to strike out "hereafter" and insert "during the fiscal year ending June 30, 1920"; on page 33, line 6, after the word "law," to insert "*Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*"; in line 8, after the word "That," to strike out "hereafter" and insert "during the fiscal year ending June 30, 1920"; and in line 13, after the word "mentioned," to strike out "herein" and insert "in this section and certain assistant postmasters at first and second class post offices and certain supervisory officials whose salaries are specifically increased by this act: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation at the rate of 5 per cent, 10 per cent, and 15 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated," so as to make the clause read:

Clerks in class A shall be promoted successively to grade 3, clerks in class B shall be promoted successively to grade 4, and clerks in class C shall be promoted successively to grade 5, at the beginning of the quarter following the expiration of a year's satisfactory service in the next lower grade. Promotions above these grades within the maximum grades of the classification may be made in the discretion of the Postmaster General for meritorious service. No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year: *Provided further*, That clerks assigned as clerks in charge of crews consisting of more than one clerk shall be clerks of grades 6 to 10, inclusive, and may be promoted one grade only after three years' satisfactory and faithful service in such capacity: *Provided further*, That during the fiscal year ending June 30, 1920, the compensation of each rural letter carrier for serving a rural route of 24 miles, six days in the week, shall be \$1,500; on routes 22 miles and less than 24 miles, \$1,440; on routes 20 miles and less than 22 miles, \$1,350; on routes 18 miles and less than 20 miles, \$1,200; on routes 16 miles and less than 18 miles, \$1,050; on routes 14 miles and less than 16 miles, \$900; on routes 12 miles and less than 14 miles, \$840; on routes 10 miles and less than 12 miles, \$780; on routes 8 miles and less than 10 miles, \$720; on routes 6 miles and less than 8 miles, \$660; on routes 4 miles and less than 6 miles, \$600. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided further*, That during the fiscal year ending June 30, 1920, postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent



of the cancellations of the first \$100 or less per quarter: *Provided further*, That if the compensation does not exceed \$75 for any one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That during the fiscal year ending June 30, 1920, the increased compensation provided in section 2 of the act approved July 2, 1918, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, shall remain the same for employees other than those mentioned in this section and certain assistant postmasters at first and second class post offices and certain supervisory officials whose salaries are specifically increased by this act: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under co-operative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation, at the rate of 5 per cent, 10 per cent, and 15 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated.

Mr. KING. Mr. President, I should like to ask the Senator if there have been any increases in any of these salaries, except temporary increases of a certain per cent, so as to reach the same level of advancement that has been reached in the other departments?

Mr. BANKHEAD. All the increases that have been made in this bill are temporary. No permanent increases have been made.

Mr. KING. And what has been the general increase in salaries?

Mr. BANKHEAD. I suppose I might say the general increase has been about \$200.

Mr. KING. What is the amount of the appropriations carried by this bill in excess of the Post Office appropriation bill for the preceding year?

Mr. BANKHEAD. About \$40,000,000, exclusive of the good-roads item.

Mr. KING. And is that all in salaries, or are there other items?

Mr. BANKHEAD. Practically all in salaries.

Mr. KING. In view of the tremendous obligations which this Government has assumed, those paid and those unpaid, the difficulty that we will experience in collecting the \$6,000,000,000 which the present revenue bill levies upon the people, and in view of the fact that billions of dollars are to be met in the future, I ask the Senator whether he thinks we are justified in adding to this appropriation \$40,000,000 for one year?

Mr. BANKHEAD. I think we are, under the conditions, so long as we are adding this amount to the pay of employees of all other departments of the Government.

Mr. KING. And what is added by way of appropriation for roads?

Mr. BANKHEAD. Two hundred million dollars in three years—\$50,000,000 this year and \$75,000,000 during each of the two next fiscal years.

Mr. KING. Has the committee having this bill in charge taken into account the ways and means by which the revenue is to be obtained to meet these rapidly increasing expenditures?

Mr. BANKHEAD. That is the business of the Ways and Means Committee of the House and the Finance Committee of the Senate. They will attend to that.

Mr. KING. The Senator is of the opinion that the majority of us—those who do not belong to the Finance Committee—may devise ways and means of spending money, but the sole responsibility of devising ways and means of raising money will rest upon that committee?

Mr. BANKHEAD. Oh, we are all going to support the report of the committee when it comes in. So is the Senator from Utah.

Mr. KING. Oh, obviously this Government will have to meet the expenditures which an extravagant Congress makes. We can not repudiate the obligations that will be incurred by appropriation bills of that character. It does seem to me, though, that somebody in this Chamber ought to be protesting against the extravagant expenditures that are constantly being made. I do not refer particularly to this bill, but to other bills. There seems to be no plan by which to conserve the resources of the Government, to cut down expenses; and we justify these growing expenses upon the ground that prices have gone up, and therefore we must increase the expenditures of the Government. It seems to me that we will have an empty Treasury long before all of these obligations have been met.

Mr. BANKHEAD. Mr. President, I hope to be able to proceed with one or two more sections of the bill to-night; and when we reach the good-roads amendment, which the Senator from Utah has in his mind, I shall move to adjourn until to-morrow. I just want to finish up the part of this bill which provides the

appropriations for the Post Office Department. There are only one or two more pages of it, on which there will be no trouble.

Mr. KING. I suppose it is futile to attempt any emendation of this bill. I know how obnoxious a Senator makes himself if he opposes an appropriation. I have seen the distinguished Senator from Colorado [Mr. THOMAS] and others who have tried to effectuate reforms run over by this juggernaut time and time again. I suppose the prostrate forms of these undying heroes will be found occasionally; but those forms will not even be reminders of the solemn duty which rests upon the Senators to try to have economical Government.

Mr. BORAH. Mr. President, I desire to say that there are some of us carrying recent bruises from the juggernaut car.

Mr. KING. I think that is true.

The PRESIDING OFFICER. The question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, at the top of page 34, to strike out:

Sec. 3. That a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate and five members of the Committee on the Post Office and Post Roads of the House of Representatives, to be appointed by the chairman of the respective committees, is hereby authorized to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis; and said commission shall make a report with recommendation to Congress at the first day of the next regular session. The expense of such inquiry shall be paid from the unexpended balance of any appropriation for the Postal Service for the fiscal year ending June 30, 1919.

And to insert:

Sec. 3. That a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate, to be appointed by the President of the Senate, and five members of the Committee on the Post Office and Post Roads of the House of Representatives, to be appointed by the Speaker of the House, is hereby authorized to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

The commission is authorized to sit during the sessions or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such clerical and expert services and incur such expenses as may be necessary to carry out the purpose of this investigation.

The heads of the Post Office Department, postmasters, supervising officials, and employees of the Postal Service shall furnish data and information and make investigations upon request of the commission.

It shall be the duty of the commission to report by bill or otherwise, as soon as practicable, the results of its investigation and what reclassification and readjustment of compensation should be made. The expense of such investigation shall be paid from the unexpended balance of any appropriation for the Postal Service for the fiscal year ending June 30, 1919, or for the fiscal year ending June 30, 1920, and disbursed upon vouchers approved by the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department. Funds necessary for the expenses of the commission shall become available upon the approval of this act.

The amendment was agreed to.

Mr. BANKHEAD. Mr. President, I believe we are about to begin the consideration of section 5.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator is correct.

Mr. BANKHEAD. It will be impossible to proceed much further with the bill to-night. There are a number of Senators here who want a morning hour. Therefore I move that the Senate adjourn until 12 o'clock to-morrow.

Mr. SHAFROTH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama withhold his motion?

Mr. BANKHEAD. Yes.

Mr. SHAFROTH. I have here an address of about 10 minutes which was delivered by Mr. John L. Lentz, a former Member of the House of Representatives, at the Coliseum in Rome. It is a very patriotic address, and will occupy but a very small space in printed form. I ask that it be printed as a public document.

Mr. SMITH of Arizona. I move that it be referred to the Committee on Printing.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SHAFROTH. Mr. President, I move that it be made a public document.

Mr. BANKHEAD. Mr. President, I believe I have the floor. The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. BANKHEAD. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 31, 1919, at 12 o'clock meridian.